



Whistleblowing, Speak Up and Speak Out Policy

This policy provide the Moor and Coast Care process for reporting, investigating, and putting right any wrongdoing at Moor and Coast Care and its services.

Moor and Coast Care Statement

At Moor and Coast Care we work in an open and honest way. We encourage colleagues to raise any concerns they may have, so that we can put them right, learn from them and ensure the safe and proper running of the service supporting individuals to live an ordinary life free from abuse, neglect, and harm.

Moor and Coast Care understand that when colleagues have concerns, they may feel worried about discussing and escalating them and the personal consequences of doing so. Colleagues are expected to report concerns as soon as possible, and Moor and Coast Care provides assurance that it has a framework that provides a safe space to do so, and those concerns will be listened to and acted on.

Definition

Whistleblowing: CQC say 'Whistleblowing is the term used when someone who works for an employer raises a concern about malpractice, risk (for example about patient safety), wrongdoing or possible illegality, which harms, or creates a risk of harm, to people who use the service, colleagues or the wider public.'. It includes concerns where public interest is at risk, this includes a risk to individuals, the wider public, colleagues, or to Moor and Coast Care itself.

Prescribed person: The Prescribed Persons Order 2014 sets out a list of organisations and individuals that a worker may approach outside their workplace to report suspected or known wrongdoing. The organisations and individuals on the list have usually been designated as prescribed persons because they have an authoritative or oversight relationship with their sector, often as a regulatory body.

Department for business, Energy, and Industry

If you decide to blow the whistle to a prescribed person rather than your employer, you must make sure that you've chosen the correct person or body for your issue. **Gov.uk**

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Scope of Policy

This policy applies to all colleagues including full and part time workers, agency workers, contractors, and volunteers. For the purposes of this policy, the word 'colleague(s)' will be used as a collective of the above.

Concerns can be raised anonymously, although it will be harder to verify, respond and feedback on actions taken as a result of concerns raised. Concerns can be made in writing, via email or verbally to your line manager or to the Moor and Coast Care Whistleblowing Officer whose details can be found at the end of this policy. If you are whistleblowing and wish to make a protected disclosure to a Prescribed Person the details can also be found at the end of this policy.

This policy incorporates the Public Interest Disclosure Act 1998 (as amended) (PIDA), which protects colleagues from experiencing bad treatment or losing their job because they have made a disclosure.

This policy works alongside and does not replace other policies such as;

- Safeguarding Adults at Risk
- Grievance Policy
- Disciplinary Policy

The Public Interest Disclosure Act (PIDA) protects workers who report concerns that are happening, happened or are likely to happen which include;

- Abuse or any other illegal acts
- Making disclosures about a criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health or safety of any individual caused by work activity
- Damage to the environment by work activity
- Deliberate covering up of information in relation to any of the above matters.

1 Policy

1.1 Moor and Coast Care expect Colleagues to raise concerns. Where a colleague is a member of a professional body, they also have a duty under their professional code of conduct to raise them.

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- 1.2 Moor and Coast Care are committed to supporting whistleblowers where genuine concerns are raised, even if the colleague was mistaken or it is a misunderstanding, this includes protection from loss of job or reprisal.
- 1.3 Moor and Coast Care will always investigate whistleblowing concerns that are reported to them and ensure appropriate action is taken.
- 1.4 Moor and Coast Care will clearly communicate with whistleblowers throughout the process in a timely way.

2 Confidentiality and UK GDPR

- 2.1 Where colleagues raise concerns confidentially, Moor and Coast Care will ensure confidentiality, unless Moor and Coast Care need to disclose an identity by law (for instance with the police).
- 2.2 All information relating to whistleblowing will be held in accordance with UK GDPR and data protection laws.

3 Prescribed Person

- 3.1 In accordance with the PIDA Moor and Coast Care understands that colleagues may decide to access a prescribed person to raise concerns where they feel they cannot do so internally, or they feel the report of a concern internally has not been acted upon appropriately.

4 Training

- 4.1 Moor and Coast Care will make sure all colleagues who handle whistleblowing concerns are suitably trained to do so.
- 4.2 Moor and Coast Care will provide training, mentoring, advice, and other support systems to ensure colleagues understand their duties to report concerns and know who they can approach across the organisation to discuss them.

5 Zero Tolerance

- 5.1 Moor and Coast Care will not tolerate the harassment or victimisation of anyone raising a genuine concern (even if it is a mistake).

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5.2 Any colleague who seeks to prevent another colleague raising a concern will be subject to Moor and Coast Care's disciplinary procedure.

5.3 Vexatious reports (where proven) will be dealt with following Moor and Coast Care's disciplinary process.

6 Continuous Improvement

6.1 Information gathered through this process, and associated processes are monitored, evaluated and processes updated to ensure they are fit for purpose. Moor and Coast Care is a learning organisation, and lessons learnt will be implemented across the system.

6.2 Moor and Coast Care will ensure communication on whistleblowing learning and changes in process are communicated efficiently and effectively with/to relevant colleagues.

Procedure

For ease of use Moor and Coast Care have provided the contact details best used to raise a concern under this policy below

Luke Bankhead

07534 563607

info@moorandcoastcare.co.uk

For Prescribed Persons please see the [full list here](#) to select the organisation which best relates to your concern. This includes

CQC

Telephone 03000 616161

Email enquiries@cqc.org.uk

Website cqc.org.uk

You may want to seek independent advice before you use this policy. You can get free, independent and confidential advice from the Whistleblowing Helpline for NHS and Social Care on 08000 724725.

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You can also call the independent whistleblowing charity Protect for free and confidential advice on 020 3117 2520

You can also raise your complaint or concern with:

Director of Social Services:

[0300 131 2131](tel:03001312131)

Or if your care is funded by the Health Authority, you can contact:

Clinical

Commissionin

g Group:

Humber and

North

Yorkshire ICB

Once your complaint has been fully dealt with by Moor and Coast Care, if you are not satisfied with the outcome you can refer your complaint to the **Local Government and Social Care Ombudsman (LGO)** and ask for it to be reviewed. The LGO provides a free, independent service.

[The LGO can be contacted for information and advice, or to register your complaint:](#)

T: 0300 061 0614

W: www.lgo.org.uk

The Nominated Individual has overall responsibility for this policy and procedure.

Review

This policy will be reviewed by the Nominated Individual at regular intervals but at least annually to ascertain what is working well and what is not working as it might. It will be updated to reflect learning from colleague and individual experiences as well as changes required by regulation and/or legislation. Recommendations for change will be presented to the Senior Management Board for authorisation

The Law Relating to this Policy

The Employment Rights Act 1996

The Health and Social Care Act (2008) Regulated Activities (2014)

The Public Interest Disclosure Act 1998

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Associated Policies

Grievance

Equality and Diversity

Duty of Candour

Safeguarding Adults at Risk

https://www.cqc.org.uk/sites/default/files/documents/20131107_100495_v5_00_whistleblowing_guidance_for_providers_registered_with_cqc.pdf

https://www.cqc.org.uk/sites/default/files/20200420_Whistleblowing_quick_guide_final_update.pdf

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/415175/bis-15-200-whistleblowing-guidance-for-employers-and-code-of-practice.pdf

<https://pathways.nice.org.uk/pathways/safeguarding-adults-in-care-homes/policies-procedures-roles-and-responsibilities-for-safeguarding-adults-in-care-homes.pdf>

<https://www.gov.uk/whistleblowing>

https://www.cqc.org.uk/sites/default/files/2022-06/900582%20Right%20support%20right%20care%20right%20culture_v5_0.pdf

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