

Whistleblowing Policy

Youth Start Limited

Company Number: 16864238

Registered Office: 370 Osmaston Park Road, Derby, DE24 8FB

Effective Date

1 January 2026

Next Review Date

1 January 2027

Introduction and Purpose

Youth Start Limited is committed to operating with integrity, transparency, and accountability. This Whistleblowing Policy sets out our approach to whistleblowing and our procedures for enabling staff members, volunteers, contractors, and other individuals to raise concerns about wrongdoing, misconduct, or malpractice at Youth Start.

Whistleblowing is the disclosure of information about wrongdoing, misconduct, or malpractice in the workplace. Whistleblowing is an important mechanism for identifying and addressing problems within an organisation and for protecting the public interest.

Youth Start recognises that staff members, volunteers, and contractors may become aware of wrongdoing, misconduct, or malpractice at Youth Start. We are committed to creating an environment where individuals feel able to raise concerns without fear of retaliation or victimisation.

This policy applies to all staff members employed by Youth Start Limited, all volunteers engaged by Youth Start, all contractors and third parties who work with Youth Start, and any other individuals who have concerns about wrongdoing at Youth Start.

Scope

This Whistleblowing Policy applies to:

- All staff members employed by Youth Start Limited
- All volunteers engaged by Youth Start Limited
- All contractors and third parties who work with Youth Start
- Any other individuals who have concerns about wrongdoing at Youth Start (including candidates, employers, and members of the public)
- All concerns about wrongdoing, misconduct, or malpractice at Youth Start

This policy does not apply to:

- Personal grievances or complaints about individual treatment (these should be raised under the Grievance Procedure)
 - Concerns about pay, terms and conditions, or working conditions (these should be raised under the Grievance Procedure)
 - Concerns about discrimination or harassment (these should be raised under the Grievance Procedure or reported to the Equality and Diversity Lead)
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Legal Framework

Whistleblowing must comply with the following legislation:

Public Interest Disclosure Act 1998 (now incorporated into the Employment Rights Act 1996):

This Act protects workers who make protected disclosures about wrongdoing in the public interest. Protected disclosures are disclosures of information about wrongdoing that are made in good faith and in the reasonable belief that the disclosure is in the public interest.

Employment Rights Act 1996:

This Act provides protection for workers who make protected disclosures. Workers who make protected disclosures are protected from victimisation, dismissal, and other detriment.

Data Protection Act 2018 and UK General Data Protection Regulation (UK GDPR):

These Acts regulate the processing of personal data, including information disclosed through whistleblowing. Whistleblowing information must be processed fairly, transparently, and securely.

Health and Safety at Work etc. Act 1974:

This Act requires that workers are protected when raising concerns about health and safety.

Equality Act 2010:

This Act requires that whistleblowing procedures do not discriminate on the basis of protected characteristics.

Bribery Act 2010:

This Act requires that Youth Start has procedures in place to prevent bribery and corruption. Whistleblowing is an important mechanism for reporting suspected bribery or corruption.

Modern Slavery Act 2015:

This Act requires that Youth Start is alert to signs of modern slavery and human trafficking. Whistleblowing is an important mechanism for reporting suspected modern slavery or trafficking.

Youth Start's Approach to Whistleblowing

Youth Start is committed to:

Creating a Safe Environment:

We are committed to creating an environment where individuals feel able to raise concerns without fear of retaliation or victimisation.



Protecting Whistleblowers:

We are committed to protecting individuals who raise concerns in good faith. We will not tolerate retaliation or victimisation of whistleblowers.

Taking Concerns Seriously:

We are committed to taking all concerns seriously. We will investigate concerns thoroughly and take appropriate action.

Transparency:

We are committed to being transparent about how concerns are handled. We will keep individuals informed about the progress of investigations and the outcomes.

Accountability:

We are committed to being accountable for our actions. If wrongdoing is identified, we will take appropriate action to address it.

Confidentiality:

We are committed to protecting the confidentiality of individuals who raise concerns. Information will only be shared with those who need to know.

Definition of Wrongdoing

Wrongdoing is conduct that is illegal, unethical, or contrary to Youth Start's policies and procedures. Wrongdoing includes:

Illegal Activity:

Any conduct that is illegal or that breaches the law, including: - Fraud or financial crime - Theft or embezzlement - Bribery or corruption - Money laundering - Tax evasion - Breaches of health and safety law - Breaches of employment law - Breaches of data protection law - Modern slavery or human trafficking

Breach of Policy:

Any conduct that breaches Youth Start's policies and procedures, including: - Breach of confidentiality or data protection - Breach of the Code of Conduct - Breach of safeguarding policies - Breach of anti-discrimination policies - Breach of health and safety policies - Misuse of Youth Start's assets or resources - Conflict of interest

Unethical Conduct:

Any conduct that is unethical or contrary to Youth Start's values, including: - Dishonesty or deception - Abuse of power or authority - Discrimination or harassment - Bullying or intimidation - Lack of integrity or transparency - Failure to act in the best interests of young people or vulnerable individuals

Malpractice:

Any conduct that falls below the standards expected of Youth Start, including: - Poor quality service delivery - Failure to meet safeguarding standards - Failure to comply with legal or regulatory requirements - Failure to act in accordance with Youth Start's mission and values

Whistleblowing Procedures

Raising a Concern

Who Can Raise a Concern:

Any individual can raise a concern about wrongdoing at Youth Start, including: - Staff members - Volunteers - Contractors - Candidates - Employers - Members of the public

How to Raise a Concern:

Concerns can be raised: - In person to a manager or supervisor - In person to the Safeguarding Lead - By telephone to the Safeguarding Lead - By email to the Safeguarding Lead - In writing to the Safeguarding Lead - Through an external whistleblowing hotline or service (if available)

Who to Report To:

Concerns should be reported to: - Your manager or supervisor (if appropriate) - The Safeguarding Lead (Nick Calin, contact@youthstart.co.uk, 07470435603) - An external whistleblowing service (if available)

Confidentiality:

Individuals who raise concerns can request that their identity be kept confidential. Youth Start will make reasonable efforts to protect the confidentiality of individuals who raise concerns.

Anonymous Reporting:

Individuals can raise concerns anonymously. However, anonymous reports may be more difficult to investigate. Youth Start will make reasonable efforts to investigate anonymous reports.

Good Faith:

Concerns should be raised in good faith. Individuals should have a reasonable belief that the information disclosed is true and that the disclosure is in the public interest.

Initial Assessment

Receiving the Concern:

When a concern is raised, the Safeguarding Lead will: - Listen carefully to the individual raising the concern - Record the details of the concern (including the date, time, and nature of the concern) - Ask clarifying questions if necessary - Reassure the individual raising the concern

Assessing the Concern:

The Safeguarding Lead will assess whether the concern is a whistleblowing concern (as opposed to a personal grievance or complaint) and whether it requires investigation.

Immediate Action:

If there is immediate danger or risk of serious harm, the Safeguarding Lead will: - Contact the emergency services (999) - Take steps to ensure the safety of individuals - Inform relevant individuals or authorities

Acknowledgement:

The individual who raised the concern will be acknowledged within 5 working days. The acknowledgement will confirm that the concern has been received and will provide information about the next steps.

Investigation

Investigation Process:

If a concern is substantiated, the Safeguarding Lead will: - Gather information from relevant parties - Speak to individuals who may have information about the concern - Speak to the individual suspected of wrongdoing (if appropriate and safe to do so) - Review any relevant records or documentation - Assess the evidence and determine whether wrongdoing has occurred

Investigation Timeline:

Investigations should be completed within a reasonable timeframe. Complex investigations may take longer. The individual who raised the concern will be kept informed about the progress of the investigation.

Confidentiality During Investigation:

Information gathered during the investigation is treated confidentially. Information is only shared with those who need to know.

Support During Investigation:

The individual who raised the concern is provided with support during the investigation. This may include: - Emotional support and reassurance - Information about the investigation process - Information about support services - Regular updates about the investigation

Impartiality:

Investigations are conducted impartially and objectively. The investigator should have no conflict of interest in relation to the concern.

Outcome of Investigation

Findings:

Once the investigation is complete, the Safeguarding Lead will determine whether wrongdoing has occurred.

Outcome Categories:

The outcome of an investigation may be: - Substantiated: The evidence supports the allegation of wrongdoing - Partially substantiated: The evidence supports some but not all of the allegations - Not substantiated: The evidence does not support the allegation of wrongdoing - Unable to determine: There is insufficient evidence to determine whether wrongdoing has occurred

Action Taken:

If wrongdoing is substantiated, Youth Start will take appropriate action, which may include: - Disciplinary action against the individual responsible for wrongdoing - Remedial action to address the wrongdoing - Changes to policies or procedures to prevent future wrongdoing - Referral to external authorities (such as the police or regulatory bodies)

Feedback to Whistleblower:

The individual who raised the concern will be informed of the outcome of the investigation. Information provided will be appropriate to the nature of the concern and the outcome of the investigation. Confidentiality of other individuals will be maintained.

Confidentiality of Outcome:

The outcome of the investigation is treated confidentially. Information about the outcome is only shared with those who need to know.

Appeal

Right to Appeal:

If an individual is dissatisfied with the outcome of an investigation, they have the right to appeal.

Appeal Process:

Appeals should be submitted in writing to the Data Protection Lead within 10 working days of receiving the outcome. The appeal should set out: - The grounds for the appeal - Any new evidence or information - Why the individual believes the decision should be reconsidered

Appeal Investigation:

The Data Protection Lead will review the appeal and may conduct a further investigation if appropriate.

Appeal Outcome:

The Data Protection Lead will provide a written response to the appeal within 10 working days of receiving the appeal.

Protection of Whistleblowers

Protection from Retaliation

No Retaliation:

Youth Start will not tolerate retaliation or victimisation of individuals who raise concerns in good faith.

Protected Activities:

Individuals are protected from retaliation for: - Raising a concern about wrongdoing - Participating in an investigation - Giving evidence in relation to a concern - Refusing to participate in wrongdoing

Forms of Retaliation:

Retaliation includes: - Dismissal or termination of employment - Suspension or demotion - Reduction in pay or benefits - Exclusion from meetings or activities - Harassment or bullying - Damage to reputation - Any other detriment

Reporting Retaliation:

If an individual believes they have been subjected to retaliation, they should report this to the Data Protection Lead immediately. Retaliation will be investigated and appropriate action will be taken.

Confidentiality

Protecting Identity:

Youth Start will make reasonable efforts to protect the identity of individuals who raise concerns. However, in some circumstances (such as if a formal investigation is required), it may not be possible to maintain confidentiality.

Disclosure of Identity:

If it becomes necessary to disclose the identity of an individual who raised a concern, the individual will be informed in advance (unless doing so would prejudice the investigation).

Confidentiality Obligations:

All staff members and individuals involved in investigating a concern are required to maintain confidentiality.

Support and Assistance

Emotional Support:

Youth Start will provide emotional support to individuals who raise concerns. This may include: - Counselling or therapy - Employee assistance programme services - Support from a trusted manager or supervisor

Legal Advice:

Individuals may seek independent legal advice about whistleblowing. Youth Start will not prevent individuals from seeking legal advice.

Occupational Health Support:

If raising a concern has affected an individual's health or wellbeing, occupational health support may be available.

External Reporting

When to Report Externally

Internal Reporting First:

Individuals should raise concerns internally first, unless: - The concern relates to the Data Protection Lead or senior management - The individual has reason to believe that internal reporting would be ineffective or unsafe - The concern involves a serious breach of law or regulation

Protected External Disclosure:

Individuals are protected when making protected external disclosures to: - A legal advisor - A regulatory body or authority - A prescribed person (such as the Health and Safety Executive) - A member of Parliament - The media (in certain circumstances)

External Reporting Bodies

Depending on the nature of the concern, external reporting bodies may include:

Health and Safety Executive (HSE):

For concerns about health and safety breaches: www.hse.gov.uk

Information Commissioner's Office (ICO):

For concerns about data protection breaches: www.ico.org.uk

Equality and Human Rights Commission:

For concerns about discrimination or human rights breaches: www.equalityhumanrights.com



Charity Commission:

If Youth Start is registered as a charity, concerns can be reported to the Charity Commission:
www.gov.uk/charity-commission

Police:

For concerns about criminal activity: 999 (emergency) or 101 (non-emergency)

National Crime Agency:

For concerns about serious crime or modern slavery: www.nationalcrimeagency.gov.uk

Ofsted:

If Youth Start provides services to children, concerns can be reported to Ofsted:
www.ofsted.gov.uk

Public Concern at Work:

An independent whistleblowing charity that provides advice and support: www.pcaw.org.uk

Whistleblowing Records and Confidentiality

Record Keeping

Whistleblowing Records:

Youth Start keeps detailed records of all whistleblowing concerns, including: - The date and time the concern was raised - The nature of the concern - The individual raising the concern (if known) - Actions taken - Outcome of any investigation - Support provided

Secure Storage:

Whistleblowing records are stored securely in our CRM system (ZohoCRM) and on a password-protected USB backup drive.

Restricted Access:

Access to whistleblowing records is restricted to authorised staff members only. Staff members are required to treat whistleblowing information confidentially.

Confidentiality

Confidentiality Obligation:

All staff members and individuals involved in handling whistleblowing concerns have a confidentiality obligation. Information is only shared with those who need to know.

Exceptions to Confidentiality:

Confidentiality may be breached if: - The individual who raised the concern consents to disclosure - Disclosure is required by law - Disclosure is necessary to protect individuals from harm - Disclosure is necessary for the purposes of investigation or legal proceedings

Data Protection:

Whistleblowing information is processed in accordance with data protection law. Individuals have the right to access information held about them, subject to confidentiality and legal privilege considerations.

Data Retention

Retention Period:

Whistleblowing records are retained for 6 years after the concern is resolved, or longer if required by law or if the concern is referred to external authorities.

Secure Deletion:

Whistleblowing records are securely deleted after the retention period has expired.

Responsibilities

Data Protection Lead:

The Data Protection Lead (Nick Calin, contact@youthstart.co.uk, 07470435603) is responsible for:

- Overseeing the whistleblowing policy - Receiving and assessing whistleblowing concerns - Coordinating investigations - Protecting whistleblowers from retaliation - Providing support to individuals who raise concerns - Maintaining confidentiality - Reporting outcomes to relevant parties - Handling appeals

Safeguarding Lead:

The Safeguarding Lead (Nick Calin, contact@youthstart.co.uk, 07470435603) is responsible for:

- Receiving whistleblowing concerns - Providing initial assessment - Providing support to individuals who raise concerns - Assisting with investigations

All Staff Members and Volunteers:

All staff members and volunteers are responsible for: - Understanding whistleblowing responsibilities - Raising concerns about wrongdoing - Cooperating with investigations - Maintaining confidentiality - Not retaliating against individuals who raise concerns

Managers and Supervisors:

Managers and supervisors are responsible for: - Creating an environment where individuals feel able to raise concerns - Listening to concerns raised by staff members - Reporting concerns to the Data Protection Lead - Supporting staff members who raise concerns - Not retaliating against individuals who raise concerns

Related Policies

This Whistleblowing Policy should be read in conjunction with the following policies:

- Code of Conduct Policy
 - Grievance and Dispute Resolution Policy
 - Disciplinary Policy
 - Safeguarding Policy
 - Data Protection and Confidentiality Policy
 - Health and Safety Policy
 - Anti-Discrimination and Harassment Policy
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Changes to This Policy

We may update this Whistleblowing Policy from time to time to reflect changes in whistleblowing legislation, our practices, or best practice guidance. We will notify relevant staff members and individuals of material changes and provide updated guidance as necessary.

Relevant Legislation

This Whistleblowing Policy is based on the following legislation:

- Public Interest Disclosure Act 1998 (incorporated into the Employment Rights Act 1996)
 - Employment Rights Act 1996
 - Data Protection Act 2018
 - UK General Data Protection Regulation (UK GDPR)
 - Health and Safety at Work etc. Act 1974
 - Equality Act 2010
 - Bribery Act 2010
 - Modern Slavery Act 2015
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External Resources and Support

Public Concern at Work:

An independent whistleblowing charity that provides advice and support: www.pcaw.org.uk

Acas:

For advice on employment rights and whistleblowing: www.acas.org.uk

Citizens Advice:

For advice on whistleblowing and employment rights: www.citizensadvice.org.uk

National Crime Agency:

For reporting serious crime or modern slavery: www.nationalcrimeagency.gov.uk

Information Commissioner's Office:

For reporting data protection breaches: www.ico.org.uk

Health and Safety Executive:

For reporting health and safety concerns: www.hse.gov.uk

Contact Information

If you have concerns about wrongdoing at Youth Start or questions about this policy, please contact:

Data Protection Lead:

Nick Calin

Email: contact@youthstart.co.uk

Telephone: 07470435603

Safeguarding Lead:

Nick Calin

Email: contact@youthstart.co.uk

Telephone: 07470435603

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