Elysian

Whistleblowing Policy

Providing Animal Assisted Therapy & Learning

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Elysian is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

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Part A - Policy

Policy Statement

Elysian is committed to achieving the highest possible standards in all of its practices.
Elysian recognises that it is important for all Employees to have a safe and trusted means by which they can raise serious concerns about any aspect of the organisation.
Elysian encourages Employees to raise any concerns internally at the earliest opportunity rather than disregarding issues or raising the matter externally. Nothing in this policy prevents an Employee from raising a concern directly with an appropriate external body.
Elysian will take concerns seriously and undertake as much investigation as is necessary given the circumstances. This may include referral to external agencies.
Elysian will endeavour to advise an Employee of any actions or outcome arising from a concern where appropriate.
Elysian will provide reasonable support to an Employee who raises a concern.
Elysian will ensure that where a concern is raised, an Employee will be protected from detriment, harassment and victimisation. It is recognised that in certain cases it may be appropriate to consider concerns raised on a confidential or anonymous basis.

This policy explains:

- The mechanism for raising concerns
- The range of responses Elysian may take upon receipt of concerns
- The support and protection available to Employees

Scope

This Policy and Procedure applies to all Elysian employees across all sites, including Shamley Green, West Horsley and the Froxfield and Liss provision. It also applies to agency workers, bank staff, volunteers, contractors and others working on Elysian premises. In this policy, all of these people are referred to as Employees.
Protect, the UK whistleblowing charity, defines whistleblowing as:
'A worker raising a concern with someone in authority, internally and/or externally (for example, to regulators, MPs or the media), about wrongdoing, risk or malpractice that affects others.'
The Whistleblowing Procedure provides a means for Employees to raise concerns about conduct or situations which they reasonably believe are wrong or inappropriate.
Concerns may include, but are not limited to:

- Conduct which is, has been or is likely to be a criminal offence or breach of law
- Conduct as a result of which Elysian has failed, is failing or is likely to fail to comply with a legal obligation
- Acts or potential acts of fraud or corruption, or the misuse of public funds or resources
- Miscarriages of justice
- Past, current or likely risks to the health and safety of any individual
- Damage to the environment
- Sexual harassment that has occurred, is occurring or is likely to occur
- Concerns about any aspect of service provision
- Concerns of a safeguarding or child protection nature, including concerns about the conduct of adults towards CYP
- Unethical or unprofessional conduct that causes concern
- The deliberate concealment of information relating to any of the concerns listed above

Concerns relating to an individual's own employment, such as their pay, terms and conditions or working relationships, should normally be raised through Elysian's grievance procedure. An

Employee who has personally experienced sexual harassment may raise it under the grievance procedure or under this policy, and will be protected from detriment whichever route they choose. Employees may raise concerns about the practice of anyone who works for or on behalf of Elysian, including:

- All Employees
- Heads of School
- Strategic Leads
- The CEO and Directors
- Advisory Board Members
- Volunteers
- Contractors and visitors

Concerns may be raised individually or collectively. If collective concerns are raised, staff should be prepared to give their own account during any investigation, should this be required.
There is no time limit for raising a concern. However, Employees are encouraged to do so at the earliest opportunity, since it may be difficult to address a matter if a significant time has elapsed.

Legal Framework

This policy is written in line with the following legislation and statutory guidance:

- The Public Interest Disclosure Act 1998, which inserted the whistleblowing protections into Part IVA of the Employment Rights Act 1996
- The Employment Rights Act 2025, which from 6 April 2026 added sexual harassment to the types of wrongdoing that can form the basis of a protected disclosure
- The Equality Act 2010, including the duty on employers to take reasonable steps to prevent sexual harassment of employees introduced by the Worker Protection (Amendment of Equality Act 2010) Act 2023, strengthened by the Employment Rights Act 2025 from 30 October 2026 to a duty to take all reasonable steps, including in relation to harassment by third parties
- The Victims and Prisoners Act 2024, which from 1 October 2025 prevents confidentiality agreements from stopping victims of crime making certain disclosures
- The current version of Keeping Children Safe in Education and Working Together to Safeguard Children
- The Independent School Standards
- The UK General Data Protection Regulation and the Data Protection Act 2018

To be protected by law, an Employee must reasonably believe that the information they disclose tends to show one or more of the types of wrongdoing listed in the Scope section and, in most cases, that the disclosure is in the public interest. The Employee does not need to be proved right.

Responsibilities of Elysian

- To foster an open culture where Employees feel confident in raising concerns
- To ensure concerns are fully considered, investigated as necessary and action taken as appropriate
- To ensure that Employees raising concerns receive feedback on any action taken where appropriate
- To make Employees aware of how they can take matters further if they are not satisfied
- To reassure Employees that they will be protected against detriment and reprisal should they raise a concern
- To take all reasonable steps to prevent sexual harassment of Employees, including by third parties, and to treat any report of sexual harassment seriously
- To ensure that no agreement with an Employee seeks to prevent them from making a protected disclosure

Responsibilities of the Employee

- To raise concerns where they reasonably believe that wrongdoing has occurred, is occurring or is likely to occur
- Not to knowingly raise a false allegation with malicious or vexatious intent
- To engage with internal and external actions to address any concerns, by attending meetings and/or participating in any investigation
- To follow Elysian's safeguarding procedures without delay where a concern relates to the safety or welfare of CYP

Trade Union Representation

Employees may wish to consult and seek guidance from their Trade Union representative before making a disclosure under this procedure.
Employees may be accompanied to any meeting by a Trade Union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

Responsible Officer and Monitoring of Concerns

The Strategic Lead for Quality Assurance, Compliance and Governance owns this policy and has overall responsibility for its maintenance and operation, working with the CEO, who is also the Chair of Governors, the other Strategic Leads, the Heads of School and the Advisory Boards.
They will ensure the effective implementation of the whistleblowing arrangements, working with Heads of School to make sure that all Employees are aware of this policy and receive training as appropriate. They will undertake an annual audit of the whistleblowing arrangements and report the outcome to the CEO and the Advisory Boards.
The audit will consider:

- The number and types of concerns raised and the outcomes of the investigations
- Feedback from individuals who have used the arrangements
- Any complaints of victimisation
- Any complaints of failures to maintain confidentiality
- Any relevant litigation
- The level of staff awareness, trust and confidence in the arrangements

Any reporting will use counts, categories, timeliness and themes only and will not identify the parties to a concern.

Part B - Procedure

Raising a Concern

Wherever possible, Employees should initially raise concerns openly with their line manager or their Head of School.

Where concerns are more serious, or concern the Head of School, Employees should raise them with a Strategic Lead or the CEO.

Concerns about a Strategic Lead should be raised with the CEO.

Concerns about the CEO should be raised with Alison Cann, Advisory Board Member, at alison.cann@elysianuk.org. Alison is independent of the CEO for this purpose.

Concerns may be raised verbally or in writing.

A concern raised in writing should:

- Set out the background and history of the concern, giving names, dates and places where possible
- Give the reason why the Employee is particularly concerned about the situation
- For clarity, state that the Employee wishes their concern to be addressed under the whistleblowing procedure

An Employee is not expected to prove that their concern is true; however, they will need to have a reasonable belief that the information they are sharing shows wrongdoing.

An Employee may invite a Trade Union representative to support them in raising a concern, to raise the matter on their behalf, or to attend a subsequent meeting to explore the concern.

Safeguarding and Sexual Harassment Concerns

Safeguarding comes before everything. Any concern about the safety or welfare of a child or young person must be reported straight away to the site Designated Safeguarding Lead (DSL) and recorded on CPOMS, in line with Elysian's safeguarding procedures. Employees must not wait to raise a safeguarding concern under this procedure.

Any allegation that an adult working at Elysian may have harmed a child, or behaved in a way that indicates they may pose a risk of harm to children, must be reported to the Head of School. An allegation about a Head of School must be reported to the CEO. These allegations will be managed in line with Keeping Children Safe in Education and may be referred to the Local Authority Designated Officer (LADO). Low-level concerns about adults will be managed under Elysian's safeguarding procedures.

Where an Employee feels unable to raise a safeguarding concern internally, or feels that a concern has not been properly addressed, they can contact the NSPCC Whistleblowing Advice Line on 0800 028 0285 or by email at help@nspcc.org.uk, or contact the Local Authority children's services or LADO directly.

Sexual harassment means unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity, or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Employees may raise a concern about sexual harassment that they have experienced, witnessed or been told about, whether it involves colleagues, managers or third parties such as visitors and contractors. Such concerns will be treated seriously, handled sensitively and kept as confidential as possible.

Where a sexual harassment concern involves a child or young person, the safeguarding procedures above must be followed first.

How Elysian will Respond

Preliminary enquiries may be made to decide on the appropriate course of action. This may require further discussion with the Employee who has raised the concern. On occasion it may not be appropriate for the person who receives the concern to progress it, and the matter may be referred to another individual within Elysian or to an external organisation. It may be possible to resolve some concerns informally by agreed action without the need for a formal investigation.

Where it is not possible to resolve the matter informally, the action taken by Elysian will depend on the nature of the concern and may include:

- Undertaking an internal leadership or disciplinary investigation
- Commissioning an independent investigation
- Referral to Elysian's auditors
- Referral to a regulatory authority
- Referral to the Police
- Referral to the Local Authority, including the LADO

Within 10 working days of receipt of any concern, the person progressing the matter will write to the Employee to:

- Acknowledge that the concern has been received
- Indicate how and through whom Elysian proposes to address the matter, including whether further investigation or referral to another organisation will be made
- Give an estimate of how long the investigation will take
- Indicate whether further information will be sought from the Employee and the arrangements for obtaining this, where known

The form of further contact between the Employee and the person progressing the concern will depend on the nature of the matter raised and the follow-up action required. Where an investigation is prolonged or a referral to an external agency takes place, the Employee will be given updates as far as is practicable.
On occasion the person considering the concern may decide that it is not appropriate for further action to be taken. This may include where:

- There is no evidence that wrongdoing has occurred
- The matter is, or has been, the subject of internal proceedings under another policy
- The matter is, or has been, the subject of external legal proceedings or has been referred to another external agency
- A false and malicious or vexatious allegation has been made

<u>Notification of the Outcome of the Concern</u>
Elysian recognises that an Employee raising a concern will want to be assured that the matter has been fully addressed. Feedback will be provided on the outcome of the concern wherever possible. In some circumstances, however, it may not be appropriate or permissible to share this information, for example where legal, disciplinary or regulatory action is pending, or where sharing information may breach the duty of confidence owed to a third party or data protection law. Where it is not appropriate to provide detailed feedback, the Employee will be advised that the matter has been addressed or concluded as far as is practicable.
Where a matter is not to be considered further, the Employee who raised the concern will be advised of this in writing.

<u>How the matter may be taken further</u>
This procedure is intended to provide Employees with a means to raise concerns internally within Elysian. If an Employee feels that matters have not been fully or appropriately addressed, or that concerns are ongoing, they may raise the matter outside Elysian.

An Employee who intends to raise a concern externally is encouraged to consider carefully whether this is the most appropriate course of action and whether all reasonable internal steps have been taken. However, an Employee does not need to use the internal procedure first, and may go directly to a prescribed person or body where they believe this is appropriate.
External routes include:

- A prescribed person or body. The Government publishes the list of prescribed persons and bodies on GOV.UK. Examples include the Health and Safety Executive for health and safety matters and the Information Commissioner's Office for data protection matters
- The NSPCC Whistleblowing Advice Line on 0800 028 0285 for concerns about the safety of children
- The Local Authority children's services or LADO for safeguarding matters
- The Police, where a crime may have been committed
- Protect, which offers free and confidential whistleblowing advice on 020 3117 2520
- A legal adviser

If a matter is raised outside Elysian, an Employee should take all reasonable steps to ensure that confidential or privileged information, including personal data about CYP, families or colleagues, is not disclosed beyond what is necessary. Disclosures to the media or the wider public are only protected in limited circumstances, and Employees are advised to seek advice from Protect, their Trade Union or a legal adviser first.

<u>Protection and Support for Employees</u>
Elysian will take reasonable measures to support and protect Employees who raise concerns.

- Protection from Detriment

Employees who raise a concern with a reasonable belief for doing so will not be subject to dismissal, discrimination, harassment, victimisation or any other detriment. Should an Employee believe they have been subjected to detriment or retribution, they should report this to the CEO or, if the concern relates to the CEO, to Alison Cann, Advisory Board Member. The matter will be addressed in accordance with Elysian's disciplinary procedure.
No action will be taken against an Employee where concerns raised are subsequently unproven. However, disciplinary action may be taken against individuals who knowingly make false, malicious and/or vexatious allegations.
Should an Employee commit a criminal offence in raising a concern (for example, accepting a bribe or an act of corruption), protection from detriment may be lost and the Employee may be subject to Elysian's disciplinary procedure.

- Confidentiality Agreements

No settlement agreement, contract of employment or other confidentiality agreement made by Elysian will prevent an Employee from making a protected disclosure, and any clause that tries to do so is void. In addition, no such agreement can prevent a victim of crime from disclosing information about it to the Police, a regulator, a qualified lawyer, a regulated professional or a victim support service, or to their child, parent or partner for support.

- Confidentiality

The best way to raise a concern is to do so openly. Openness makes it easier for Elysian to assess and investigate the issue. However, it is recognised that there may be some circumstances where an Employee would prefer to raise a concern in confidence. Employees should make Elysian aware of this when raising their concern.

Where appropriate, every effort will be made to maintain the Employee's confidentiality, including arranging meetings off site. Every effort will be made not to reveal the Employee's identity without their prior consent, if this is their wish. However, it may not be possible to maintain confidentiality if the concern becomes subject to an external or Police investigation where disclosure is required, or where a safeguarding referral must be made. An Employee will be advised should there be a possibility that their confidentiality cannot be maintained.

- Anonymous Concerns

Employees are encouraged to put their name to any allegation where possible. Anonymous allegations will be considered and investigated at Elysian's discretion. In exercising this discretion, the following factors may be considered:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from other sources

It may be more difficult to address the concern, support the Employee or advise them of the outcome where a concern is reported anonymously. Anonymous concerns about the safety of CYP will always be passed to the site DSL.

- Support

Employees may wish to consult their professional association or Trade Union if they are a member. Elysian recognises that raising a concern can be stressful, and the person progressing the concern will discuss with the Employee what support would help. Should an Employee be required to give evidence in criminal or disciplinary proceedings, consideration will be given to appropriate support.

Other Concurrent Processes

Raising a concern under the whistleblowing procedure will not in itself halt any other ongoing processes relating to absence, conduct, performance or redundancy. However, each case will be considered on its merits to ensure that Elysian is acting reasonably and that no Employee is treated less favourably because they have raised a concern.

Record Keeping

Notes may be taken of all meetings with the Employee held under this procedure. Where notes are taken, a copy will be made available to the Employee. All records will be treated as confidential and processed in accordance with the UK General Data Protection Regulation and the Data Protection Act 2018, which give individuals the right to request access to their personal data.
A central, confidential record of whistleblowing concerns will be maintained by the Strategic Lead for Quality Assurance, Compliance and Governance. This record will include a summary of the concern raised, the action taken, the timescales and the outcome. Any Strategic Lead, Head of School or Advisory Board member who receives a whistleblowing concern must ensure that it is passed on for recording. Safeguarding case detail must be recorded on CPOMS only, and the central record will refer to it by category without including case detail.

This Policy will be reviewed every 2 years, or earlier if required by changes in legislation or statutory guidance, by the Strategic Lead for Quality Assurance, Compliance and Governance.

For the purposes of this policy, where the term Elysian is used, it refers to Elysian Animal Assisted Interventions Ltd, including Elysian School and Elysian Animal Assisted Therapy and Learning, and to Elysian Animal Assisted Therapy and Learning CIC.