

WHISTLEBLOWING BY STAFF

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Approval/Ratified by:	Senior Management Team at SWAAY
Publication Date:	June 2017
Review Date:	June 2018
Related Policies:	2.7 Notification of Serious Events 4.1 Safeguarding and Child Protection Policy 4.4 Confidentiality 4.6 Complaints Procedure 5.3 Equal Opportunities Policy 5.4 Staff Conduct and Disciplinary Procedure 5.5 Staff Grievance Procedure
Children's Homes Regulations 2015:	Engaging in the Wider System to Ensure Children's Needs are Met - Regulation 5 The Protection of Children Standard - Regulation 12 The Leadership and Management Standard - Regulation 13 Polices for the Protection of Children - Regulation 34 Complaints and Representations - Regulation 39 Notification of a Serious Event - Regulation 40

POLICY STATEMENT

SWAAY's philosophy is that we are all responsible for speaking out and assisting others to speak out by recognising our belief in open communication as paramount in our work. The expectation of equality of communication ensures that SWAAY provides an environment in which openness and respectful challenge is actively encouraged.

Staff will be able to express any concerns or complaints they may have in an open way, without fear of reprisal.

The Public Interest Disclosure Act 1998 (PIDA), known as the Whistleblowing Act, protects workers from detriment where they disclose certain kinds of information, relating to a criminal offence; a failure to comply with legal obligations; a miscarriage of justice; health and safety dangers; damage to the environment; concealing information about any of the above. If misconduct is discovered as a result of any investigation

under this procedure the company's disciplinary procedure will be used, in addition to any appropriate external measures.

The term 'whistleblowing' generally applies when you are acting as a witness to misconduct or malpractice that you have observed and which threatens other people. Malpractice within SWAAY is always taken seriously and includes:-

- Failure to adhere to SWAAY boundaries
- Failure to respect confidentiality (see Policy on Confidentiality)
- Financial malpractice
- Failure to comply with a legal obligation
- Dangers to health and safety
- Criminal activity
- Improper conduct
- Attempts to conceal any of the aforementioned

The concern may relate to something that is happening or has happened in the past or something that you fear may happen in the future.

The ethos of equality of communication means that whistleblowing is an expectation of SWAAY, both for staff and young people and that this will be done in an open way via home meetings, team meetings and supervisions. There is also an expectation that visitors and other professionals will be challenged, when necessary.

PROCEDURES

If a staff member has any concerns about the working practice of an individual they should explore this with the individual(s) in a house meeting, staff meeting or group meeting. During house meetings, staff meetings group meetings, and supervisions each individual should be given the space to express their concerns without interruptions from others done in an open way. There is also an expectation that visitors and other professionals will be challenged, when necessary.

If they are not satisfied with the outcome or feel the matter needs additional exploration then they should speak directly with their line manager. Any concerns will be addressed by the manager without delay and the complainant will be kept informed of the progress.

If the matter cannot be dealt with within a house meeting, staff meeting or group meeting, or by the line manager:

If there are concerns regarding confidentiality (see Policy on Confidentiality); if the matter is a significant safeguarding concern (see Safeguarding and Child Protection Policy); if the matter is an urgent one; or if the complainant is not satisfied with the outcome then the relevant Designated Safeguarding Person would be informed.

Residential or Therapy staff should speak to Vanessa Miller (Head of Care/ Safeguarding); or Ged Berry (Operations Director) if Vanessa is unavailable. Education staff should speak to Sarah Snape (Head Mistress) or Rob Seymour (Deputy Head Teacher) if Sarah is unavailable. Out of hours concerns should be passed to the On-call staff member and a written record emailed to the Designated Safeguarding Person.

As soon as possible, at least within 24 hours, staff must send the completed **Whistleblowing Observation, Concern or Suspicion** form (See Appendix 1) to the Designated Safeguarding Person.

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss with the named above, you can address your concerns to the SWAAY Directors, Children's Social Care, the Police, the Local Authority Designated Officer, an officer of Ofsted, or an officer of the NSPCC.

If your suspicions or concerns relate to the Designated Safeguarding Person then the following people could be contacted: SWAAY Directors, Children's Social Care, the Police, the Local Authority Designated Officer, an officer of Ofsted, or an officer of the NSPCC.

If your concern is about an immediate or current risk to an individual child or children please follow the Safeguarding and Child Protection policy.

You can raise concerns formally with external bodies including Ofsted. **All internal processes and lines of management should be considered, in consultation with the LADO, before taking an issue outside the organisation.**

Timescales:

Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The investigating officer, should as soon as practically possible, send a written acknowledgement of the concern to the complainant and thereafter report back to them in writing the outcome of the investigation and on the action that is proposed where possible whilst respecting the confidentiality of others. If the investigation is a prolonged one, the investigating officer should keep the complainant informed, in writing, as to the progress of the investigation and as to when it is likely to be concluded.

All responses to the complainant should be in writing and sent to their home address.

Principles:

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back in writing to the worker who raised the issue.

No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because he/she has raised a legitimate concern.

Victimisation of a worker for raising a concern will be a disciplinary offence.

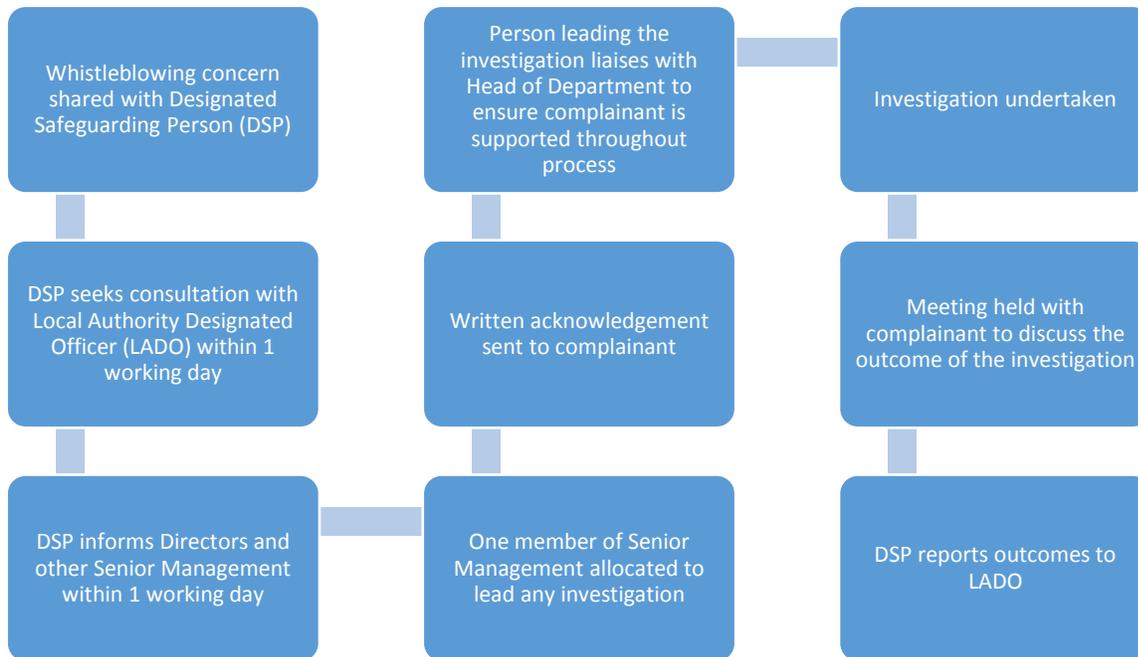
If misconduct is discovered as a result of any investigation under this procedure the company's disciplinary procedure will be used, in addition to any appropriate external measures.

An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter to the Safeguarding officer.

Untrue allegations:

If an individual makes an allegation in the public interest, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual in line with SWAAY’s Staff Conduct and Disciplinary Procedure.

SWAAY will ensure the expeditious handling of concerns raised as outlined in the Staff Conduct and Disciplinary Procedure.



SAFEGUARDING & CHILD PROTECTION CONTACT NUMBERS:

SWAAY Designated Safeguarding Persons	
Vanessa Miller	07795833142
Ged Berry	07917712710
Sarah Snape	07917712716
Rob Seymour	07917712719
Bracknell Children's Social Care/ LADO	01344352020
Bracknell Children's Social Care (Out of Hours)	01344786543
Bracknell LSCB	01344354000
Wokingham Children's Social Care/ LADO	01189088002
Wokingham Children's Social Care (Out of Hours)	01344786543
NSPCC Helpline	08088005000
Childline	08001111
Police non-emergency number	101
Ofsted	0300 1231231

Call 999 in an emergency if you believe a child is in immediate danger

(Confidential)



Whistleblowing Observation, Concern or Suspicion			
Child's Name:		Gender:	
Date of Birth:		Date & Time of this report:	
Whistleblowing Log Reference Number:			
Reasons for Concern or Suspicion.			
What is your observation/concern/suspicion, Why are you concerned/suspicious, When did you become concerned/suspicious, Who are you concerned/suspicious about? <i>(include any relevant contact names and phone numbers)</i>			
<i>Any noticeable injuries should be detailed on the attached body map.</i>			

Large empty rectangular area for report content.

Name of person completing this report.		Name of Person this report was passed on to.	
Signed		Date	

