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**YOUNG FOUNDATIONS**

**WHISTLEBLOWING**

**POLICY**

**YOUNG FOUNDATIONS LIMITED– CHILDREN’S HOMES & SCHOOLS**

**PROCEDURES**

**TITLE: WHISTLEBLOWING ISSUE 8: SEPTEMBER 2018**

**COMPILED BY: POLICY TEAM REVIEW DATE: SEPTEMBER 2021**

**Whistle Blowing**

**Purpose of this policy**

The purpose of this policy is:

### To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.

### To provide staff with guidance as to how to raise those concerns.

### To reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

### To cross refer to Safeguarding and Complaints Policies and Procedures, so that staff, parents and third parties understand the appropriate route to complain or disclose.

### To highlight the role of our Regulators and the right that people have to whistle blow externally

This policy takes account of the Whistle blowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.

## **What is Whistle- Blowing?**

## Whistle-blowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

### criminal activity;

### poor or abusive practice;

### miscarriages of justice;

### danger to health and safety;

### damage to the environment;

### failure to comply with any legal or professional obligation or regulatory requirements;

### financial fraud or mismanagement;

### negligence;

### breach of our internal policies and procedures;

### conduct likely to damage our reputation;

### unauthorised disclosure of confidential information;

### the deliberate concealment of any of the above matters;

A whistle-blower is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistle-blowing concern) you should report it under this policy.

This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases you should use the Grievance Procedure or Anti-harassment and Bullying Policy as appropriate.

**Procedure- What you need to know and do.**

**Raising a whistle- blowing concern\***

We hope that in many cases you will be able to raise any concerns with your line manager (Registered Manager, Head Teacher or On-Call Manager). You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases they may refer the matter to the People Services Team.

Where the matter is more serious, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason (including the belief that they may be implicated), you should contact the Director of Operations- Tom Ellison.

If you still do not feel that your concern is being handled appropriately or if it involves the senior managers highlighted, you should contact the Managing Director of Young Foundations- Niall Kelly.

**(\*Please refer to WHISTLE –BLOWING FLOW CHART on page 5 )**

**All staff are always encouraged to try and resolve the situation using**

**line management structures locally.**

**Your concerns will be taken seriously and will be handled in a professional manner.**

Where your concern involves immediate risk to a vulnerable person and you feel that has not been managed appropriately by your line managers, you are guided to first follow the safeguarding policy. This means you are able to contact the local authority safeguarding team, to alert them that a person is at risk. This should only be done where an individual is at risk and your line manager and/or senior managers have not made the referral themselves or have given an unsatisfactory reason as to why a referral has not been made.

**Confidentiality**

We hope that staff will feel able to voice whistle-blowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

**External disclosures**

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. Their contact details are at the end of this policy.

Whistle-blowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a person we support, supplier or service provider. The law allows you to raise a concern in good faith with a third party, where you reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, we encourage you to report such concerns internally first.

**Investigation and outcome**

Once you have raised a concern -

* We will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment.
* You may be required to attend meetings in order to provide further information.
* In some cases we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter.
* The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

**If you are not satisfied**

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy you can help us to achieve this.

If you are not happy with the way in which your concern has been handled, you can raise it with our senior managers.

**Protection and support for whistle-blowers**

It is understandable that whistle-blowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

Staff must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform us immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

Staff must not threaten or retaliate against whistle-blowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

If we conclude that a whistleblower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistleblower will be subject to disciplinary action.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Quality Team.

**Dissemination, Implementation and Review**

This policy is disseminated at Induction and annual safeguarding refresher training and is to be implemented by all staff.

Updates and reviews are circulated by the senior management team to local managers who disseminate and implement the new policy.

Line managers then ensure all staff read and implement the new policy and procedures.

This policy is to be reviewed annually or more frequently if required.

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**WHISTLE -BLOWING FLOW CHART**

1. Staff **IMMEDIATLEY** report to Senior, Registered Manager, Head Teacher or On-Call Manager who should report as appropriate, following local reporting lines.

(\* If you feel any of these people are implicated go directly to Step 3)

2. Staff member feels that the concern has not been managed appropriately, in respect of outcomes or action taken.

3. Staff member reports to Operations Director of Young Foundations-

 Tom Ellison- 07814 114 872 or tom.ellison@youngfoundations.com

Staff are reminded that we are duty bound to ensure that all whistle blowing concerns

are taken seriously and will be managed promptly and professionally by local managers.

(\* If you feel this person maybe implicated go directly to Step 4)

4. Staff member still feels unsatisfied that their concern has been addressed should contact the Managing Director of Young Foundations-

Niall Kelly- 07772 391 363 or niall.kelly@youngfoundations.com

It is essential that whilst we encourage staff to follow this internal procedure, they do know that they have the right to contact the service regulator.

The regulatory whistle-blowing contacts are

* Care Quality Commission 0300 061 6161 or enquiries@cqc.org.uk
* Ofsted 0300 123 3155 or whistleblowing@ofsted.gov.uk

**In the event of a safeguarding issue involving immediate risk that you feel has not been managed correctly, then contact your local authority safeguarding team.**

## **INFORMING RELEVANT BODIES PROTECTING VULNERABLE CHILDREN & ADULTS**

## We also have a duty to make a referral to the Disclosure and Barring Service (DBS) if we have carried out investigations and find that an employee has engaged in acts of gross misconduct that caused significant concern/risk for the safeguarding of children or vulnerable adults. This would result in dismissal along with referral to the DBS. We also have a duty to inform Local Authority/Health Team as stipulated in our contracts.