

Whistleblowing Policy

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Freedom to Speak UP Guardian

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The manager should ensure staff and volunteers know the whistleblowing policy and procedure.

1. Summary

This policy ensures the highest standards of openness, integrity, and accountability. It creates an environment where staff and volunteers can raise concerns about misconduct, unlawful actions, or failures to act. The policy discourages bullying, promotes regular training, and provides support for whistleblowers, including a designated "Freedom to Speak Up Guardian" for easy and informal reporting. It also includes assistance for those who may need to find alternative employment after raising a concern. The policy is protected under the Public Interest Disclosure Act 1998 and covers a range of disclosures, including health and safety risks, environmental damage, and criminal offences. Staff and volunteers who face unjust dismissal after whistleblowing have the right to take the matter to an Employment Tribunal. The policy also outlines whistleblowing procedures, managers' responsibilities, and options for taking the matter outside the organisation.

2. Policy Statement

Great Oak Lodge upholds the highest standards of openness, integrity, and accountability. We firmly believe that staff and volunteers have the right and responsibility to voice concerns about suspected misconduct, unlawful actions, or failure to act within the organisation. This policy establishes a framework for reporting and addressing such concerns and seeks to embed the act of raising issues as a part of our normal operational routine.

3. Promoting a Culture of Openness and Compliance: Implementing the Principles of Sir Robert Francis' "Freedom to Speak Up" Report

The "Freedom to Speak Up" report by Sir Robert Francis, published in 2015, aimed to promote a culture of openness and transparency within healthcare organisations, allowing staff and volunteers to raise concerns without fear of reprisal. While the report primarily focuses on healthcare organisations, many of its principles can also be applied to social care providers. To comply with the principles outlined in the report, we consider the following steps:

- **Develop a supportive culture:** Foster an environment where open communication and speaking up are encouraged and valued. This includes promoting trust, respect, and active listening among staff and volunteers.
- **Implement clear policies and procedures:** Establish clear and accessible policies and procedures that outline how staff and volunteers can raise concerns, provide feedback, and report incidents. These policies should emphasise the protection of whistleblowers and ensure their concerns are appropriately addressed.
- **Raise awareness and provide training:** Educate staff and volunteers about their rights, responsibilities, and the importance of speaking up. Offer training sessions to enhance their understanding of the reporting processes, confidentiality measures, and support.
- **Appoint a Freedom to Speak Up Guardian:** Designate an independent individual or team as a Freedom to Speak Up Guardian who can act as a confidential and impartial point of contact for staff and volunteers to raise concerns. They should guide staff and volunteers through the process and address their concerns appropriately.

- **Establish confidential channels for reporting:** Create multiple channels for staff and volunteers to report concerns confidentially, such as dedicated hotlines, email addresses, or online platforms. These channels should be easily accessible and well-publicised throughout the organisation.
- **Investigate and act on concerns:** Develop robust procedures for investigating concerns promptly and thoroughly. Ensure appropriate actions are taken based on investigation findings and communicate the outcomes to staff and volunteers involved.
- **Provide feedback and support:** Keep staff and volunteers informed about the progress and outcomes of their concerns. Offer support, counselling, or guidance to those who have raised concerns to address any emotional or psychological impact they may have experienced.
- **Monitor and review progress:** Regularly assess the effectiveness of the policies and procedures in place, and make necessary improvements based on feedback and lessons learned. Continuously monitor the organisation's culture and take steps to address any barriers to speaking up.
- **Engage leadership and governance:** Gain commitment and support from senior leaders and governing bodies to champion a culture of openness and ensure the principles of the "Freedom to Speak Up" report are embedded throughout the organisation.

4. Cultivating a Culture of Raising Concerns

We are committed to cultivating a working environment where voicing concerns is a standard part of our business operations. Staff and volunteers are actively encouraged and expected to express worries about conduct they reasonably believe demonstrates wrongdoing or an attempt to conceal it. Regular training sessions will be provided to ensure staff and volunteers understand the process of raising concerns and the subsequent steps.

5. Bullying-Free Culture

We strive to ensure staff and volunteers can voice their concerns without fear of retaliation or bullying. Any intimidation or bullying towards individuals who raise concerns will be deemed a grave offence and dealt with firmly and swiftly.

6. Training

We will deliver regular training to staff and volunteers on our approach to raising and handling concerns. This will include clear guidelines on how to voice a concern, who to report it to, and what will occur once a concern has been raised.

7. Support for Whistleblowers

We have appointed a designated "Freedom to Speak Up Guardian" who is available for staff and volunteers to report concerns easily and without formality. This individual will support and advise staff and volunteers who want to raise concerns.

8. Support to Find Alternative Employment

When a staff member who has raised a concern can no longer continue in their role, we will provide support to assist them in finding alternative employment within or elsewhere.

9. Scope

This policy enables staff and volunteers to report concerns internally at a high level. It covers the disclosure of information relating to:

- Financial misconduct, impropriety, or fraud
- Sexual, physical, or other types of abuse of young people in our care
- Criminal activity
- Improper conduct or unethical behaviour
- Attempts to conceal any of the above
- Other forms of unethical conduct

10. Public Interest Disclosure

Whistleblowing, officially known as “disclosing the public interest,” is protected by the Public Interest Disclosure Act 1998. Staff making protected disclosures are entitled not to face any detriment, and their dismissal due to such disclosures will be considered unfair.

11. Protection

To be protected, a disclosure must be made in good faith, with the whistleblower reasonably believing that the information is substantially accurate and that it is disclosed to the right person.

12. Types of Whistleblowing Eligible for Protection

Qualifying disclosures eligible for protection include reports of:

- Health and safety risks
- Environmental damage
- Criminal offences
- Cover-ups of wrongdoing

13. Who’s Protected

Protection under this policy extends to:

- Staff and volunteers
- Agency workers
- Trainees not directly employed.

- Self-employed workers under supervision or working off-site.

14. How to Blow the Whistle

Staff and volunteers should discuss their concerns with their line manager. Staff and volunteers may also contact the organisation's Freedom to Speak Up Guardian. Upon receiving a concern, the organisation will acknowledge it within ten working days and provide information on how the matter will be addressed, estimated timelines, and any initial inquiries made.

15. Untrue Allegations

If a staff member or volunteer makes an untrue allegation in good faith, no action will be taken against them. However, disciplinary action may be taken in case of knowingly making false allegations.

16. Tribunals

If a staff member or volunteer is dismissed for whistleblowing, they have the right to take the matter to an Employment Tribunal. If the tribunal decides the dismissal was unfair, it may order reinstatement or award compensation.

17. How the Matter Can Be Taken Further

The procedure outlined above is intended to provide individuals with an avenue to raise concerns within the organisation. However, if the whistleblower decides to blow the whistle to take the matter further, they can write to:

WBHL

Ofsted

Piccadilly Gate

Store Street

Manchester M1 2WD

Tel. 0300 123 3155 (Monday to Friday from 8 am to 6 pm)

Email: whistleblowing@ofsted.gov.uk

The whistleblower can also contact a 'prescribed person or body' if they think the employer:

- will cover it up.
- would treat them unfairly if they complained.
- has not sorted it out, and they have already told them.

A full list of prescribed persons and bodies, including the Children's Commissioner for England that staff and volunteers can blow the whistle to can be found at www.direct.gov.uk.

We are committed to handling whistleblowing concerns in a fair, impartial, and confidential manner, ensuring the protection of whistleblowers and promoting a culture of transparency and accountability within our organisation.

18. References

- Regulation 12: The protection of children standard - The Children's Homes (England) Regulations 2015
- Regulation 31: Staffing of children's homes - The Children's Homes (England) Regulations 2015
- Regulation 32: Fitness of workers - The Children's Homes (England) Regulations 2015
- Whistleblowing for employees, GOV.UK
- Blowing the whistle to a prescribed person, GOV.UK
- Public Interest Disclosure Act 1998
- Employment Rights Act 1996
- Freedom to Speak Up – An independent review into creating an open and honest reporting culture in the NHS Report 2015, Sir Robert Francis QC