



Stowe Court Children's Home

Whistle Blowing Policy and Guidance

Introduction

Employees are often the first to realise that there may be something wrong within Stowe Court or The Shires organisation as a whole, it is important that they feel able to express their concerns without fear of harassment or victimisation. Otherwise they may find it easier to ignore the concern rather than to report it. The Public Interest Disclosure Act (in force since January 1999) recognises this fact and is designed to protect employees, who make certain disclosures of information in 'the public interest', from detriment and /or dismissal. This policy builds on the provisions of the Act.

Principles underpinning this policy

This policy is based on the fundamental belief that all employees have the right to raise concerns and that they should:

- be encouraged to speak out against bad practice
- not be penalised for raising concerns
- be supported and know that their views have been taken on board and will be dealt with appropriately

This policy has been based on the principles of:

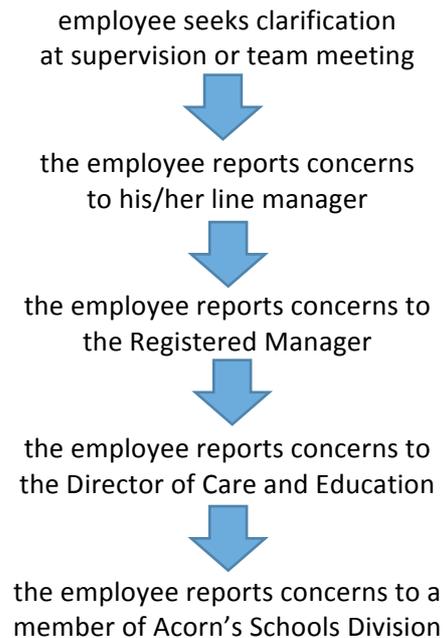
- openness
- honesty
- confidentiality
- impartiality
- anti-discriminatory practice

Scope of the whistle blowing policy

Employees may legitimately raise concerns under this policy about the actions of other employees, private contractors, visitors, managers and representatives from external agencies. Concerns which fall within the scope of the whistle-blowing procedure may be about something that is unlawful, against Stowe Court and The Shires' policies or procedures, falls below an established standard or practice, or amounts to improper conduct. Concerns or allegations that raise issues that fall within the scope of specific procedures, for example, anti-fraud and corruption, child protection or discrimination issues, will normally be addressed under those procedures. Employees may raise concerns that do not fall within the scope of the whistle-blowing policy. Concerns raised by employees about their own conditions of service should be addressed via The Grievance Procedure or on behalf of young people, should be addressed via the Stowe Court Complaints Procedure.

Guidance for employees

On appointment, all staff should be given a copy of the whistle blowing policy. The HR Manager, Registered Manager or Director of Care and Education must take the time to go through the policy with new members of staff and should explain the employee's role and responsibilities in relation to raising concerns as part of their induction. Employees should use supervision sessions, team meetings and other opportunities in the first instance to raise questions and to seek clarification on issues which are of concern. If an employee believes that the concern he/she has is serious or potentially serious, for example a safeguarding issue involving one of the young people, then he/she should immediately approach his/her line manager. In the event of the line manager either being off site or involved in the issue being raised, the employee should follow the path illustrated below. It should be noted that concerns may also be raised directly with Ofsted or if it is believed immediate harm may come to someone the police.



The role of senior managers

A member of staff may voice his/her concerns in person, in writing, via email or over the phone. The senior manager receiving the concerns must make a record of this initial contact including the time and date and should make an arrangement to discuss the matter further as soon as is practicable. The senior manager who has been approached by a member of his/her team should inform his/her line manager that a concern has been raised and should advise what steps are being taken in the first instance.

Stage One:

- at the initial meeting the senior manager should carefully question the employee to ensure that there is genuine cause and sufficient grounds for the concern
- the senior manager should ask the employee, if they have not already done so, to put their concern(s) in writing, or the senior manager should make notes of the discussions with the employee
- the employee's letter and/or senior manager's notes should make it clear that the employee is raising the issue via the whistle-blowing procedure
- the senior manager's notes must include the background and history of the concerns, the names, dates and places (where possible), and the reasons why the employee is concerned about the situation
- the employee should be asked to date and sign his/her letter or the notes of any discussion
- the senior manager should explain to the employee the steps that will be taken to address the concern, how he/she will communicate with the employee at the end of the process and that a written response will be sent out within 10 working days
- the senior manager should reassure the employee that he/she will be supported through the whistle blowing process and that his/her identity will not be revealed unless absolutely necessary and then only with the employee's knowledge and consent
- the employee should be assured that everything possible will be done to prevent the employee from being victimised or discriminated against
- if the employee's concern, though raised in good faith, is not confirmed by any subsequent investigation, no punitive action will be taken against him/her

- the senior manager should explain to the employee that if he/she has made a malicious or vexatious allegation, disciplinary action may be taken against him/her
- the employee should be informed that if, following investigation, the concern is unfounded, the concern should not be raised again unless new evidence comes to light

Stage Two:

- at the point at which a senior manager considers that an investigation is needed into a concern that has been raised, the Director of Care and Education should be informed
- notes should be taken of all meetings relating to the incident that is under investigation and actions should be recorded
- in the case of anonymous allegations it may be necessary to consider whether it is possible to take any further action – when making this decision senior managers should make their decision based on the seriousness of the allegation, the credibility of the concerns, the likelihood of being able to confirm the allegation from reliable sources
- in some cases it may be possible to resolve the concern through the process of hearing an explanation which negates the need for further investigation
- if the allegation has substance and is to do with a safeguarding issue, the Registered Manager should inform Ofsted with the knowledge of the Director of Care and Education
- the Director of Care and Education and/or the Registered Manager may need to involve the police
- senior managers should ensure that the concern raised is considered in the light of any linked policies

Stage Three:

The manager receiving a concern from an employee under the terms of the Whistle Blowing Policy must respond in writing to that employee:-

- acknowledging that the concern has been received indicating how he/she proposes to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling the employee whether further investigation will take place and if not why not
- giving information to the employee about the ways in which he/she should proceed if he/she is not happy with the response