

## Whistleblowing POLICY SOUNDLY FOSTERING

We are committed to providing a safe and effective service for children and families and staff, with integrity and care.

We aspire to open and honest communication and agree that this be underpinned by clear systems of accountability.

We encourage workers to raise concerns openly as part of our daily working practice, in order to constantly improve and monitor our service and everyone's safety.

We will respond to any concerns or worries, promptly and without prejudice and ask that any concerns or suspicions of wrongdoing, be appropriately reported, as soon as possible, to be fully investigated.

Soundly Fostering will ensure that any individual who raises a genuine concern under this policy will not be at risk of losing their job or suffer any form of retribution as a result. Soundly Fostering will not tolerate the harassment or victimisation of anyone raising a genuine concern.

A Whistle-blower must not, at any time, be subjected to retaliation or threats and anyone involved in such behaviour may be subject to disciplinary action.

**This Whistleblowing procedure will be made known to any persons working for the purposes of the agency (e.g. staff (employed or independent), carers, prospective carers and local authorities etc). Our Whistleblowing procedure will also be available on Soundly Fostering's Website at [www.Soundlyfostering.co.uk](http://www.Soundlyfostering.co.uk)**

## Regulations and Standards:

### **The Fostering Services (England) Regulations 2011**

Regulation 11 – Independent fostering agencies: duty to secure welfare

### **Fostering services: National Minimum Standards**

Standard 4 – Safeguarding children

Standard 19.6- Suitability to work with Children

### **Relevant Guidance**

Raising Concerns at Work: Whistleblowing Guidance for Workers and Employers in Health and Social Care (2014).

Whistleblowing guidance for employers and code of practice (2015)

Ofsted's: Reporting concerns and whistleblowing about children's social care services guidance.

NSPCC Whistleblowing Advice Line

### **Legislation**

Public Interest Disclosure Act 1998 (PIDA) amended by the Employment Rights Act 1996

**This Policy informs how to report any wrongdoing at work, or 'blow the whistle' without fear of being victimised or dismissed.**

Soundly Fostering will take all concerns seriously and confidentiality will be respected.

### What is Whistleblowing?

Whistleblowing is the disclosure or the confidential raising of specific information, which relates to suspected wrongdoing or risks at work that affect others.

This is intended to cover concerns that fall outside of issues dealt with under the Complaints Policy.

We recognise that things can go wrong in any organisation.

To mitigate this risk and put things right as quickly as possible, it is important that all people working with the organisation understand that concerns will be listened to fairly and objectively.

The law allows members of staff to make a 'protected disclosure' in relation to certain specific subject matter.

To be protected, the disclosure must be in the public interest, the worker must have a reasonable belief that the information shows that one of the categories of wrongdoing listed in the legislation has occurred or is likely to occur, and the concern must be raised in the correct way.

The disclosure should be proportionate to the concerns and made in good faith.

A Whistleblower is a person who raises a genuine concern in good faith. If you are aware of an issue falls within the term 'protected disclosure' you should report it.

Specific subject matters which can be raised as a protected disclosure of concern.

To be classed as 'protected', a disclosure must relate to a specific subject matter and be made in a way that is proportionate and appropriate.

Concerns may relate to the conduct of a member of Soundly Fostering staff but may also relate to the actions of a third party, such as a service user, supplier or provider.

Specific subject matters include:

- A criminal offence has been, is being or is likely to be committed.
- A person has failed, is failing or is likely to fail to comply with any legal obligation.
- Improper use of funds.
- Possible fraud or corruption.
- Discrimination of an employee or service recipient on the grounds of sex, age, race, disability, religion, belief or sexual orientation.

- A miscarriage of justice has happened, is happening or is likely to happen.
- The health and safety of any individual has been, is being or is likely to be damaged.
- Damage to the environment has occurred, is occurring or is likely to occur.
- Information showing any of the above has been, is being or is likely to be deliberately concealed.
- Breach of Soundly Fostering's internal policies and procedures
- Other unethical conduct.
- The deliberate concealment of any of the above.

### Raising a Whistleblowing Concern in the appropriate way.

Individuals or staff members should raise their concerns at the earliest opportunity.

- If you believe that something is wrong, you do not need proof. Speaking out early could stop the issue from becoming more serious, dangerous, or damaging.
- Think about whether your concern can be discussed in an informal way or in staff supervision, or team meetings, appraisal or whether they need to be formally reported.

In order to report a concern, you should initially speak with your direct line manager, in order for appropriate action to be taken.

If it is inappropriate to share the concern with the manager, for example if the concerns are about them or a relative, you should speak with a different member of the management team or raise your concerns directly with one of Soundly Fostering's Directors.

Where there are no more senior individuals within Soundly Fostering, or if the concern relates to them, then you might need to go to the regulator Ofsted.

The Agency does not, other than in exceptional circumstances, believe it is appropriate to alert the media to any concerns or discussions that have taken place.

A disclosure should be made in good faith. It should not be for personal gain and members of staff must reasonably believe that the information is substantially true. They are expected to act reasonably when making a 'protected disclosure'.

Failure to follow this procedure for making a disclosure may result in the disclosure of information losing its protected status

A Whistle-blower may be subject to disciplinary action if they make a false or malicious allegation, do so in bad faith or with a view to personal gain.

Staff who raise genuine concerns in good faith, even if their concerns are later considered to be mistaken, will be fully supported throughout the investigation, assessment and outcome.

### Investigation and outcome

In the first instance, Soundly Fostering will arrange a meeting with you to discuss your concerns.

If you wish to raise your concern confidentially, Soundly Fostering will make every effort to protect your identity.

Soundly Fostering acknowledge that a Whistleblower may be worried about the risk of repercussions after sharing their concerns. Whistleblowers who are concerned that they could be the subject of reprisal if their identity is revealed, should inform the manager dealing with the issue, as soon as possible in order for this to be addressed.

You can bring a colleague or union representative to any meeting convened in respect of whistleblowing concerns. Your companion may be asked to sign a confidentiality form in respect of those involved in the disclosure and any subsequent investigation.

After the matter has been raised, the matter will be looked into and where appropriate an internal inquiry or formal investigation will be carried out. If considered necessary, Soundly Fostering may appoint specialist external investigators.

You will be kept informed of the progress of any investigation and advised of the outcome to the extent that it is appropriate to do so, although it may not be possible to include precise information as to the outcome as this may be in breach of the agency's duty of confidence owed to someone else.

If the 'whistle blower' is not satisfied with the outcome, they can then contact one of Soundly Fostering's Directors in order to look at this further. Alternatively, the regulator can be contacted.

### Child Protection

Soundly Fostering is committed to promoting and safeguarding the welfare of children. Any matter that comes to the attention of carers, staff, contracted staff, volunteers and panel members and is of a child protection nature will be reported to the relevant authorities under the Local multi-agency safeguarding children procedures.

Please refer to our Safeguarding policy for further details.

Where a member of staff, volunteer, panel member or foster carer considers that a child protection matter has arisen within the agency and has not been dealt with appropriately, s/he may make use of this procedure and report matters of concern to the senior manager within the agency or a report can be made to the local authority (for the area where the child is placed or the relevant person lives) or to the Regulatory Authority.

#### Outside regulatory authorities and independent advice

#### **Ofsted**

Piccadilly Gate  
26-32 Store Street  
Manchester  
M1 2WD

Tel: 08456 404040

Email: [enquires@ofsted.gov.uk](mailto:enquires@ofsted.gov.uk)

Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)

Ofsted whistleblowing hotline 0300 1233155 (8am to 6pm Monday to Friday)

#### **NSPCC whistleblowing helpline**

<https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/>

Tel: 0800 028 0285 (9am to 6pm Monday to Friday)



Email: [help@NSPCC.org.uk](mailto:help@NSPCC.org.uk)

For independent confidential advice the national Whistleblowing Helpline can be contacted.

Tell: 08000 724 725.

emailing [enquiries@wbhelpline.org.uk](mailto:enquiries@wbhelpline.org.uk) or visiting the website on [www.wbhelpline.org.uk](http://www.wbhelpline.org.uk)