



Poplar House School

Whistleblowing Policy

Valid until 2025

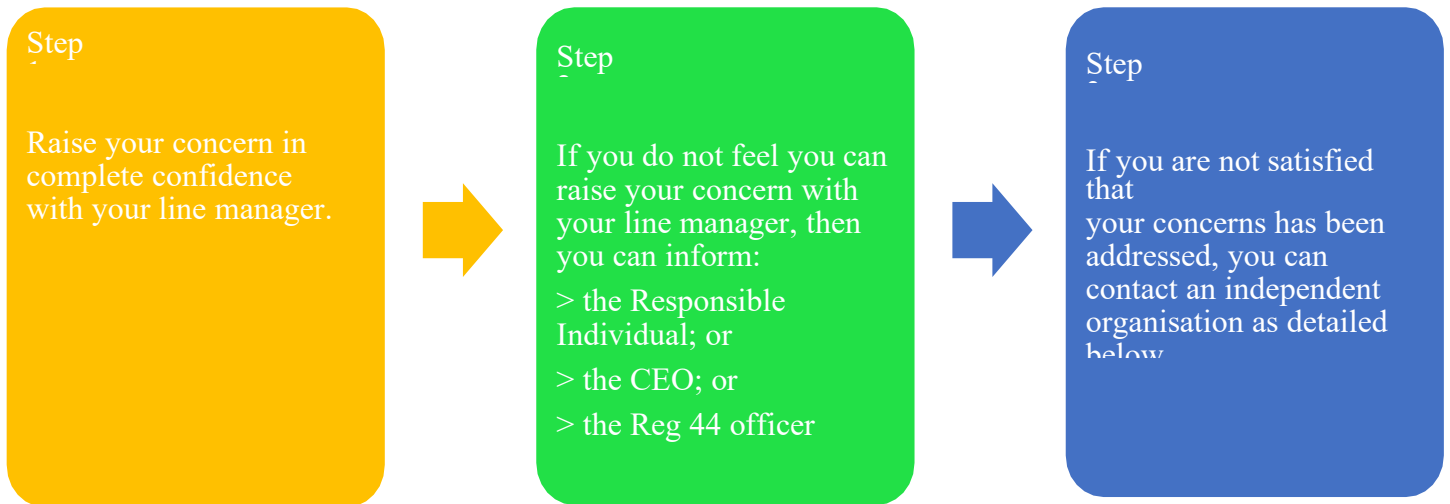
IF YOU HAVE ANY CONCERNS ABOUT CHILDREN AND YOUNG PEOPLE PLEASE FOLLOW THE PROCESS BELOW.

Blow the whistle!



- Your Chapter is committed to developing a culture where it is safe and acceptable for all staffs to raise genuine concerns about any malpractice or misconduct.
- Staffs who raise a genuine serious concern about misconduct and malpractice will be protected from victimisation and dismissal.
- At Your Chapter we encourage you to report your serious concerns. We feel it is part of your duty.

To raise concerns, follow this process:



Independent organisations:

Ofsted, Piccadilly Gate
Store Street
Manchester M1 2WD
T: 0300 123 3155
E: whistleblowing@ofsted.gov.uk

CIW
Welsh Government Office,
Rhydycar Business Park
Merthyr, Tydfil, CF48 1UZ
T: 0300 7900 126
E: ciw@gov.wales

Public Concerns at Work
CAN Mezzanine 7-14
Great Dover Street, London
SE14 4YR
T: 0207 404 6609
E: whistle@pcaw.org.uk

Mission Statement

Your Chapter is an organisation with social purpose that seeks to transform the lives of children and young people. Our approach is grounded in the lived experience of the children and young people we support and by valuing their contribution. As experts by experience, we ensure the services they receive is personal to them.

Our mission statement is supported by Your Chapter's Essential Standards that sets out the organisation's commitment to safeguarding and promoting children and young people's welfare:

Essential Standards

- **Individualised care** - Children and young people will receive care and support that is tailored to meet
-

their specific needs and any diverse needs.

- **Dignity and respect** - Your Chapter will ensure children and young people have privacy when needed and appropriate, are treated as equals, are given appropriate support to help them to be independent to fulfil their potential, and to be involved in their respective local communities.
 - **Equality** - Your Chapter is an inclusive organisation that works hard to ensure that children and young people are safeguarded and have the same protection regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation. Care for Children is committed to anti-discriminatory practice. In so doing, Your Chapter recognise the additional needs of children from minority ethnic groups and disabled children including the barriers they face.
 - **Safety** - Your Chapter will ensure that appropriate safeguarding practice is in place so that children and young people do not receive unsafe care or treatment or be put at risk of any potential harm. A robust risk assessment strategy will be in place to minimise harm during activities and delivery of care and support. Your Chapter will also ensure staff have the appropriate knowledge, qualifications, experience, competence and skills to keep children and young people safe.
 - **Safeguarding from abuse** - Children and young people have an absolute entitlement to receive care and support without suffering any form of abuse or improper care. This includes disproportionate restraint, unnecessary or inappropriate restrictions on freedom, bullying, neglect and free from abuse from their peers, carers and all professionals involved in their care.
 - **Complaints** - Your Chapter will ensure that the systems in place for handling complaints are followed by staff to make sure that all complaints are monitored and considered seriously, handled and responded to sensitively. Complaints investigation will be comprehensive and conducted in a timely manner including informing the complainant about the outcome of their complaint. Any areas for learning will be identified and discussed so that appropriate action can be taken.
 - **Whistleblowing** – Your Chapter have a robust whistleblowing policy and staff have a duty of care to raise and report concerns. It is known by all staff and is supported by staff training. We encourage the active reporting of any concerns raised by our staff, our children and young people and third parties and we ensure that all such concerns are addressed in a timely manner. Any learning from such reports will be embedded into continuing professional development and will inform professional practice. Staff are also able to use the whistleblowing email to raise their concerns confidentially by utilising this email address: whistleblowing@yourchapter.co.uk and or telephone on 07552 328 051.
 - **Good governance** – Your Chapter has an Independent Safeguarding and Quality Improvement Committee to ensure that a robust governance framework is in place, including scrutiny and oversight of internal and external service audits. Good governance will help to improve the delivery of services,
-

as well as identify and minimise risk to children and young people's health, safety and wellbeing.

- **Legislative framework** – Your Chapter will ensure that it complies with regulatory standards, regulations and government guidance that underpins its services relating to children's homes, fostering service and schools in England and Wales.
- **Staffing** – Your Chapter will ensure that its staff comply with these essential standards through appropriate levels of support, culturally appropriate training and supervision that is reflective, empowering and insightful to effectively assist them in their role.
- **Fitness to practice** – Your Chapter will seek to recruit and retain a staff team that can evidence their competence, knowledge and professional practice to provide safe and appropriate care in line with their roles and responsibilities.

Blow the Whistle

Your Chapter's Whistleblowing Policy has been adapted from the NHS's 'Freedom to Speak Up' Policy. Your Chapter is committed to developing a culture where it is safe and acceptable for all staffs to raise genuine concerns about any malpractice or misconduct.

Your Chapter sets high standards in terms of the quality of care and education which is offered to children/young people we look after. This is underpinned by Your Chapter's Essential Standard. To achieve best outcomes for our children/young people, it is important that they are properly protected, and staff can work in safe environments. To promote the development of such environments, all staff need to be aware of the impact of their own behaviour and be vigilant in relation to the conduct of others towards children/young people we look after.

This Policy

This policy is intended to clarify Your Chapter's expectations in relation to the conduct of staffs towards children/young people and each other, and to provide guidance on how to proceed if there are concerns about issues of concerns impacting on children and young people's welfare.

Legislation governing children's homes, schools and fostering service as well as statutory guidance relating to safeguarding children in education, requires care organisations to develop and implement a whistleblowing policy. This policy should be known to staff, volunteers, trainees and mentors. It is therefore clear that Your Chapter has a responsibility to ensure that its staff understand their duty to report concerns to the appropriate authorities regarding any circumstances which they consider likely to significantly harm the safety, rights or welfare of any child and young person.

What concerns can I raise?

Staff can raise a concern about **risk, malpractice or wrongdoing** that they believe is harming/could result in potential significant harm to children/young people and the service we deliver. Just a few examples of this might include (but are by no means restricted to): -

- Unsafe working conditions
- Lack of, or poor, response to a reported safety incident
- Sexual or physical abuse of young people by staffs
- Neglect of children and young people
- Exploitation of children and young people by staff
- Dangerous practices or procedures which expose young people to the risk of serious harm
- Conduct which falls below accepted standards of practice which is harmful or disrespectful to children and young people
- Non-adherence to Your Chapter's practices and procedures
- Behaviour which is in breach of Your Chapter's Code of Conduct
- Unauthorised use of funds / suspicions of fraud
- Harassment and bullying by staff towards young people, or colleagues

N.B. ***This is not an exhaustive list***

Remember, all of Your Chapter staff have a professional duty to report a concern with reference to Your Chapter's governance framework and the relevant regulations such as Children's Homes 2015, Guide to the Children's Homes Regulations, The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017, Keeping Children Safe in Education 2020, Keeping Learners Safe, 2015 (Wales), Safeguarding Children in Education (Wales) 2014, Education Act 2002, Education (schools standards) Regulations 2010, Protecting children from radicalisation: the prevent duty (DfE, August 2015). The Welsh Safeguarding procedures as defined under the Social Services and Wellbeing (Wales) Act 2014.

Staff have both a right and a responsibility to address concerns about the behaviour of colleagues towards each other and towards children and young people. This responsibility is so important that if a staff member fails to pass on concerns to their line manager, this might lead to disciplinary action being taken against them.

Concerns about the conduct of a staff member will arise at one of the following levels:

- (i) Behaviour which is unacceptable but not necessarily harmful e.g., inappropriate self-disclosure, swearing within a child or a young person's hearing but not directed at them etc.
- (ii) Behaviour which is unprofessional and may be harmful e.g., the use of racist or homophobic/disablist

language, inappropriate physical contact etc.

- (iii) Behaviour which is highly unprofessional and causes or is likely to cause significant harm e.g., striking a child or young person, exposing a child or young person to danger, sexually inappropriate language, or behaviour etc.
- (iv) Constitutes a criminal offence such as fraudulent activities.

If any of the above concerns are raised, the staff member should immediately escalate this to their line manager. This expectation applies to staff at all levels. In any circumstances the staff raising the concern should keep a record of the concern itself and the outcome of the conversation.

If in doubt, please raise it.

Staff should not wait for proof of wrongdoing; they should raise any concerns irrespective of whether this turns out to be a mistake if there was a genuine concern.

This policy is not for people with concerns about their employment that affect only them – that type of concern is better suited to our Grievance policy

Feel safe to raise your concern

Members of staff who raise genuinely held concerns in good faith under this procedure should not be dismissed or subjected to any detriment because of their disclosure.

Detriment includes unwarranted disciplinary action, victimisation or threats. If a member of staff believe that they have been subjected to a detriment within the workplace because of raising concerns under this procedure, they should inform the Designated Safeguarding Officer (DSO) or Your Chapter's Board of Directors immediately. Where the concerns relate to the DSO and/or a member of the Your Chapter's Board of Directors, staff may go directly to the regulator or contact the NSPCC helpline. If the matter is not remedied, you should raise a grievance formally under the Grievance Procedure. Staff who victimise or retaliate against whistle-blowers under this policy will be subject to disciplinary action.

If an investigation under this procedure concludes that a disclosure has been made maliciously, vexatious, in bad faith or with a view to personal gain, the whistle-blower will be subject to disciplinary action. Those who make disclosures without following the guidelines in this policy may not receive the protection outlined above.

The Designated Safeguarding Officers and contact details for Your Chapter are:

NAME	ROLE	CONTACT DETAILS
Virginia Perkins	Chief Executive Officer	virginia.perkins@yourchapter.co.uk 0161 483 1505

Amanda Cooke	Designated Safeguarding Officer – Responsible Individual	Amanda.cooke@yourchapter.co.uk 0161 483 1505 07791739470
Tayub Ahmed	Designated Safeguarding Officer – Responsible Individual	Tayub.Ahmed@yourchapter.org.uk 161 483 1505 07504683010
Karen Brougham	Designated Safeguarding Officer – Responsible Individual	Karen.brougham@yourchapter.org.uk 0161 483 1505 07917 703285
Eve Bartlet	Designated Safeguarding Officer (Director of Education)	Evebartlet@educ8.org.uk 0161 483 1505 07971285829
Vicky Prosser	Designated Safeguarding Officer (Executive Head Teacher)	Vicky.prosser@educ8.org.uk 0161 510 5678 07774644647

The named individuals contact numbers can be obtained from Head Office by calling 0161 483 1505 and set out in the Safeguarding Policy.

Staff may alternatively seek advice from Public Concern at Work, a charity which offers free, confidential, legal advice on serious concerns in the workplace. As well as access to the NSPCC whistleblowing helpline on: 0800 028 0285 or **Email** help@nspcc.org.uk.

Contact for Public Concern at Work: Telephone on 020 7404 6609 or email helpline@pcaw.co.uk.

Making a 'protected disclosure'

There are very specific criteria that need to be met for an individual to be covered by whistleblowing law when they raise a concern (to be able to claim the protection that accompanies it). To help staff consider whether they might meet these criteria, they should seek independent advice from the Public Concern at Work or a legal representative and NSPCC helpline.

Confidentiality

Your Chapter will, as far as possible protect the identity of the individual raising concern if that is their wish. We will keep the disclosure confidential, unless required to disclose it by law (for example, by the police).

You can choose to raise your concern anonymously, without giving anyone your name, but that may make it more difficult for us to investigate thoroughly and give you feedback on the outcome.

Staff are also able to use the whistleblowing email address at whistleblowing@yourchapter.co.uk and or contact by telephone on 07552 328 051.

Who can raise concerns?

Anyone who works (or has worked) at Your Chapter, or for an independent organisation that works with, or we provide a service to. This includes staff, agency workers, temporary workers, students, volunteers, Local Authorities and Social Workers.

Dismissal Limitation

Please note that strict time limits apply in respect of bringing a claim. Most claims will need to be brought in the Employment Tribunal within three months less one day of the treatment you are complaining about.

If you are subjected to detriment or a dismissal as a result of making a protected disclosure / whistleblowing, you will have a time limit of 3 months from the date of the act complained of to bring a claim in the employment tribunal.

In some instances, if a claim is lodged out of time, the Employment Tribunal has the power to extend the time limits if it was, 'not reasonably practicable' for the claim to be presented in time.

Please note that in most cases, this time limit will not be extended where an internal grievance is lodged first.

Claimants are advised to be aware of limitation issues and seek legal advice promptly.

Who should I raise my concern with?

In many circumstances the easiest way to get your concern resolved will be to raise it formally or informally with your line manager, but where a staff member feels it inappropriate to do this, they can use any of the options set out below in the first instance.

- If concerns arise at levels (i) to (iv) noted above, staff should bring this to the attention of their manager immediately. If the concerns relate directly to the manager, the member of staff should report it to the Regional Manager.
 - If it relates to the Regional Manager, then it should be raised to the CEO of the organisation.
 - If the concern relates to the CEO, it should be raised to the Chair of Your Chapter Board.
 - If the concerns are about a Your Chapter Board Member these should be raised with the Chair however, if concerns are raised about the Chair this matter should be raised with the Non-Executive Director of
-

Your Chapter.

The Board of Directors contact details are: -

- Virginia Perkins- virginia.perkins@yourchapter.co.uk
- Ian Oatley-Financial Director -ian.oatley@yourchapter.co.uk
- The Chair of Your Chapter Board is Alfred Foglio (Alfred.foglio@micotacapital.com)
- The Non-Executive Board member contact details are Rizwan Khan (riz@inspirecapital.co.uk)

Staff should address their correspondence to: -

'To be opened by addressee only, Private and Confidential', Your Chapter, Hobart House, Oakwater Avenue, Cheadle Royal Business Park, Cheadle. SK8 3SR.

As a last resort, if staff feel unable to address the matter internally, they must bring their concerns to the attention of Ofsted/CIW Inspector/Estyn inspector, or the Local Authority Designated Officer/Team. Ofsted can be contacted directly on **0300 123 1231** if you want to make a complaint or have a concern about any service, Ofsted inspects or regulates (8.00am to 18.00pm). CIW can be contacted on **0300 790 0126** if you want to make a complaint or have a concern about any service CIW inspects or regulates (9:00am to 17:00pm) or Estyn on 029 2044 6446. The Local Authority Safeguarding Team details are contained within Your Chapter's Safeguarding Policy and on display on notice board within the service.

All allegations or concerns about staff members' conduct raised, will be taken seriously and investigated thoroughly.

How should I raise my concern?

You can raise your concerns with any of the people listed above in person, by phone or in writing (including email). Whichever route you choose, please be ready to explain as fully as you can the information and circumstances that gave rise to your concern.

What will we do?

We are committed to listening to our staff, learning lessons and improving practice. On receipt the concern will be recorded, and you will receive an acknowledgement within two working days (except in the case of anonymous disclosure). The central record will record the date the concern was received, whether the staff member has requested confidentiality, a summary of the concerns and dates when the staff member was provided with updates or feedback. It may be that following this consultation with the staff member, it is agreed that it would be more appropriate for their concerns to be dealt with using Your Chapter's Grievance or Complaints Procedure. A written record will be made confirming this decision and will be held in the central whistleblowing log.

Investigation

Level 1

- This is usually dealt with at a local level by the Line Manager of the individual against whom the Whistleblowing concern has been raised. This will be through a single subject supervision within 48 hours. Where the source is anonymous, this may restrict the Managers ability to resolve the situation within the timescale. However, if the matter is not resolved, the individual can escalate this whistle blowing concern to their Line Managers' Manager or an independent body.

Level 2

- Whilst this will be dealt with through Your Chapter's Disciplinary Procedures, discussions will take place with the relevant bodies i.e. LADO and / or Police.

Level 3

- This will be dealt with through a strategy meeting(s) to inform the Section 47 investigation. Your Chapter will not make the decision as to what level of child protection investigation is undertaken. This will be the role of the LADO. However, the LADO may refer the matter back to Your Chapter to investigate under its own disciplinary procedures. The outcome of any investigation by Your Chapter will be shared with the LADO and a closure letter will be sent to the regulator informing them of the outcome.

We may decide that your concerns raised would be better looked at under another process; for example, our process for dealing with bullying and harassment. If so, we will discuss that with you.

Timescale

All whistleblowing allegations will be dealt with thoroughly and expediently. All relevant parties will be kept informed of progress.

Recording the Whistle blowing concern

All Whistleblowing allegations will be taken seriously. A record of any such allegation will be centrally maintained and monitored by the Human Resources manager and by the CEO of the organisation on the whistleblowing log. If the whistleblowing concern relates to these two individuals, then it can be raised with Your Chapter's Chairman.

If the whistleblowing concern is not anonymous, we will discuss your concerns with you to ensure that we understand exactly what you are worried about.

How will we learn from your concern?

The focus of the investigation will be on improving the service we provide for children and young people. Where it identifies improvements that can be made, we will track them to ensure necessary changes are made and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

Safeguards

- Harassment/Victimisation – Your Chapter acknowledges that it is often difficult to raise concerns about colleagues'/superior's conduct and that sometimes considerable moral courage is required. Your Chapter regards such acts as positive contributions to the protection and welfare of children and young people and would wish to encourage staffs to raise any concerns they may have.
- Under no circumstances will Your Chapter tolerate the victimisation, harassment or ostracism of staff who raise concerns under this policy. If following an allegation there is any evidence of such behaviour, action will be taken to protect the individual who raised the concern and address the conduct of those responsible through the disciplinary procedures.
- Malice and Mischief – Your Chapter encourages staff to bring forward their concern in relation to their colleagues conduct to their line manager but must be aware of bogus allegations or those made to deliberately damage the reputation of others or of the company.
- If a member of staff raises a concern in good faith which is not subsequently upheld by the investigation, no action will be considered or taken against the person raising the concern. If, however, the investigation reveals evidence that the allegation was deliberately false, malicious, or mischievous, this will be regarded as a serious act of misconduct and disciplinary action will be taken.

Cross reference

Your Chapter Essential Standard Safeguarding Policy
 Working Together 2018 Disciplinary and Grievance Policy
 Complaints Policy
 Code of Conduct
 Children's Home Regulation 2015
 The Regulated Services (Service Providers and Responsible Individuals) (Wales) Regulations 2017
 Keeping Children Safe in Education 2020
 Safeguarding Children in Education (Wales) 2014

Record of review:

Policies are reviewed every 3 years as a minimum. However, where there are changes to legislation/guidance or in response to recommendations from any significant incidents, a review of the policies will take place immediately. Key Safeguarding policies are reviewed annually as a minimum.

<u>Reason for update</u>	<u>Date of review</u>	<u>Reviewed by</u>
Updated and Reviewed	September 2018	Independent Safeguarding and Quality Improvement Committee
Updated – Page 3 – Keeping Children Safe in Education 2018 paragraphs 22-40	October 2018	Hamida Subhan
Updated to take account of new statutory Guidance and changes in Regulations	30 March 2020	Lolly Rascagneres, Director of Quality Assurance and Compliance
Revision – Page 5 – What concerns I raise – paragraph 1	14 December 2020	Lolly Rascagneres, Chief Quality Director
Revision of entire policy.	10 January 2021	Virginia Perkins, CEO
Revision to take account of changes in Board Directors and new Whistleblowing telephone number	01.06.2021	Quality Assurance Group
Company name and logo change; changes to personnel details	August 2022	Pria Griffiths-Sen