



# Phoenix Community Care Ltd

## Foster Care Agency

### Policy & Procedure

## 0230 - Whistle Blowing Policy and Procedure

Version	Written	Updated/ Reviewed	Scheduled Review Date	Author/ reviewer	Approving Body	Date Approved
1	Oct 2013		Oct 2014	J A Coates	Directors	5.2.14
		Jan'15	Jan'16	J A Coates	PCC directors	Feb'15
		July '16	July'19	J A Coates	PCC Directors	July'16

## Reasons for the policy

- PCC Foster Care Agency recognise that instances of poor practice can and do occur which can affect the well being of the service users, and the long – term reputation of the trust
- This policy and these procedures have been introduced to enable all those associated with PCC Foster Care Agency in whatever capacity to raise their concerns at an early stage.

## Policy statement

- PCC Foster Care Agency acknowledges its duty to empower employees and volunteers to speak out when they encounter poor practice.
- All staff and volunteers of PCC Foster Care Agency have a duty of care and assist people who use PCC Foster Care Agency. This duty extends to having an obligation not to overlook poor practice, but to speak out and to seek to correct it.
- No one who raises a genuine concern about poor practice, in good faith, will be at risk of losing their job or suffering any form of retribution as a result of doing so.
- PCC Foster Care Agency expects all managers to recognise their responsibilities in this matter and to adopt and to implement this policy to adhere to its procedures with regard to whistleblowing
- This policy conforms with the public interest disclosure act 1998
- This policy has accompanying procedures, which must be followed.
- This policy statement has been agreed by the board of directors of PCC Foster Care Agency and is mandatory on all its services.

## Procedures

### Introduction

- Poor Practices may occur from time to time in the operation of PCC Foster Care Agency.
- PCC Foster Care Agency is committed to the principle that disclosing poor practice is good practice.
- These procedures are designated to enable and to encourage employees, volunteers and all those who have contact with PCC Foster Care Agency to raise

concerns about poor practice without fear of reprisals, and to give reassurance that such matters will be dealt with seriously and effectively by the organisation.

- Managers are required to implement these procedures and make them widely available.

### **The types of poor practice covered by the whistle blowing policy and procedures include:**

1. Failure to uphold professional standards of practice and / or behaviour
2. Danger to health and safety.
3. Criminal activity including fraudulent and corrupt behaviour.
4. Breach of legal duties.
5. Cover up of the above list.
6. This is not an exhaustive list.

There are existing procedures in place to enable staff, volunteers and service users to raise personal issues that affect them. The whistle blowing procedure is used to highlight poor practice

### **How to raise a concern**

Where poor practice is suspected, it is important to act promptly and follow the procedure detailed below. It will be necessary to explain the reasons for their concerns and to give as much information as they possibly can. Notes of the ,times dates and details of [their] concerns will help but, even if they are not available, it is important to raise concerns anyway.

### **Action**

Concerns about poor practice should be raised with one of the following people

1. Supervisor
2. Line manager
3. Volunteer
4. Co – coordinator
5. Local health and safety representative
6. Manager of the service.

If the person raising the concern is not reassured by the response from the person they have contacted in list above or they do not feel able to contact any of the above. They should raise their concerns with one of the PCC Foster Care Agency board of directors.

Where ever possible, concerns should be confined in writing to assist the person carrying out any investigation.

The person receiving the concern must notify the manager responsible for the service to which the concern relates. The responsible manager must contact the person who deals with complaints to register the concern and obtain a reference number, recording details of the concerns. The whistle blowing concern form should be completed [appendix 2] and a copy sent to the person who deals with complaints. The responsible manager must monitor the progress and the outcome of the investigation and complete section 2 of the whistle blowing record form once the outcome is known. A copy of the form should be sent to the person who deals with complaints .in addition, the quarterly whistle blowing form should be completed by all services. All people listed above will be trained to deal with concerns raised through these procedures.

Where ever possible concerns should be raised within PCC Foster Care Agency the ways outlined above. If however the person concerned feels unable to raise the matter in this way, they may contact the registering authority or in matters relating to fraud or corruption, the external auditor Price Waterhouse Coopers on 02075835000.

## **Independent advice**

At all stages in the procedure advice can be sought about what to do and who to discuss their concerns with someone at Public concern at work [PCaW]. PCaW is an independent charity staffed by lawyers, which offers confidential free legal and practical advice on how people can raise concerns about poor practice at work. They can also give advice on who else can be contacted and what legal protection may be available.

PCaW's legal help line can be contacted on 02074046609. Professional associations and trade unions can offer advice to members considering raised concerns.

## **Safeguards**

Harassment or victimisation of whistle blowers will not be tolerated.

Every effort will be made to ensure that the whistle blower's identity is kept confidential if they so wish However, it must be understood that an investigation process may necessitate the revealing of the source of the information. PCC Foster Care Agency may need him /her to give evidence in formal proceedings. If it becomes necessary to reveal the whistle blower's identity in order to pursue the circumstances it may affect PCC Foster Care Agency's ability to continue the investigation if he/ she does not agree to be identified.

If an allegation is made in good faith but is not confirmed by any investigation, no action will be taken against the whistle blower. If, however allegations are shown to be malicious, disciplinary action will be taken against her/him.

## **How PCC Foster Care Agency will respond**



All concerns raised under these procedures must be followed up and documented.

The action taken will depend on the nature of the concern, the matters raised may be investigated internally, be referred to the external auditor, form the subject of an independent enquiry, be referred to the police.

The manager within PCC Foster Care Agency who receives the concern will acknowledge this within 5 working days and provide information on who is dealing with the matter and who to contact if there are any questions.

The responsible manager will also ensure that the whistle blower receives appropriate feedback on the outcome of the investigation.