



## **LWCA WHISTLEBLOWING POLICY**

### **INTRODUCTION**

LWCA is committed to the highest standards of openness and accountability. In line with that commitment, we encourage any members of staff who have serious concerns about any aspect of the service we provide to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis. This policy document makes it clear that staff can do so without fear of reprisals. This Whistleblowing Policy is intended to encourage and enable staff to raise serious concerns within the service rather than overlooking a problem or feel that it is necessary to “blow the whistle” to others outside the organisation. Please be assured that this policy provides a means for you to raise any concerns in line with the national minimum standards.

If you feel unhappy about something that has occurred in connection with Leeds Weekend Care Association (LWCA) you may not express your concerns because you feel that speaking up would be disloyal to other people. You may also fear harassment or victimisation. In these circumstances, it may seem easier to ignore the concern rather than report what may be just a suspicion of malpractice. However please do consider carefully whether it is right that you report such concerns.

#### **This policy aims to:**

- provide avenues for you to raise concerns and receive feedback on any action taken
- allows you to take the matter further if you are dissatisfied with the service's response and
- reassures you that you will be protected from any reprisals or victimisation for any whistle blowing which is done in good faith.

This whistle blowing policy is intended to cover concerns that fall outside the scope of other procedures, (although LWCA reserves the right to determine which procedure is appropriate).

Relevant concerns may include behaviour you are aware of which is

- abusive to children or
- unlawful or
- amounts to improper conduct.

### **SAFEGUARDS**

#### **Harassment or Victimisation**

LWCA recognises that the decision to report a concern can be a difficult one to make, especially since you may fear reprisals from those responsible for the malpractice. LWCA will not tolerate any harassment or victimisation and will take action to protect you when you raise a concern in good faith.



Where feasible, you will be contacted after your concern has been investigated to check that you have not suffered any detriment as a result of your whistle blowing.

If at any time, either during or after the investigation, you feel that you have suffered any detriment as a result of your whistle blowing you should contact either a manager or member of management committee who will arrange for any necessary remedial action to be taken.

### **Confidentiality**

LWCA will do its best to protect your identity when you raise a concern if you do not want your name to be disclosed, although it must be appreciated that sometimes during the investigation process it is necessary to reveal the source of the information. A statement from you may be required as part of the evidence.

### **Anonymous Allegations**

You are strongly encouraged to put your name to your allegation. Concerns expressed anonymously are much less powerful, although they will still be considered at the discretion of the Service.

In exercising the discretion, the factors which would be taken into account include:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

### **Untrue Allegations**

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make malicious or vexatious allegations, further action may be taken.

## **HOW TO RAISE A CONCERN**

As a first step, you should normally raise concerns with your line leader or manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that the managers are involved, you should contact a member of the management committee. (The Senior Play Leader is our designated safeguarding officer). If you believe it is necessary to contact somebody outside of LWCA then please contact Social Care.

Concerns are best raised in writing. The sort of information required is the background and history, names, dates, places and, where possible, the reason why you are particularly concerned. If you do not feel able to put your concerns in writing, then you may contact us in person or by phone. The earlier you express the concern, the easier it is to take action.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person you contact that there are sufficient grounds for your concern.



There are special rules surrounding the gathering of evidence. Any attempt to gather evidence by people who are unfamiliar with these rules may adversely affect the outcome of the case as evidence has to be collected in accordance with current legislation. This is of particular importance in regard to any possible child protection issue or to a situation where some form of surveillance might be necessary.

## **HOW THE SERVICE WILL RESPOND**

The action taken by LWCA will depend on the nature of the concern. The concerns that you have raised may: -

- be investigated internally, (this is the most likely option)
- be referred to the Police
- form the subject of an independent inquiry
- or any combination of the above.

In order to protect individuals and the Service, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by an agreed action without the need for investigation.

Within ten working days of a concern being received, where appropriate, we will write to you

- acknowledging that the concern has been received
- indicating how we propose to deal with the matter
- telling you whether any initial enquiries have been made; and telling you whether further investigations will take place and, if not, why not.

The amount of contact between us and you will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, further information will be sought from you.

When any meeting is arranged you have the right, if you wish, to be accompanied by a colleague or a friend who is not involved with the LWCA.

LWCA will take steps to minimise any difficulties that you may experience as a result of raising a concern.

LWCA accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcomes of any investigations.



## **HOW THE MATTER CAN BE TAKEN FURTHER**

This policy is intended to provide you with an avenue to raise concerns within our service. We hope that you will be satisfied. If you are not, and if you feel it is right to take the matter further, the following are possible contact points:

- your local Council Member (if you live in the area of the Council)
- relevant professional bodies or regulatory organisations such as OFSTED
- the Council Internal Audit Division, in matters alleged fraud or corruption
- your solicitor
- the Police
- your M.P. or the local Ombudsman.

If you do take the matter outside LWCA, you will need to ensure that you do not disclose confidential information or that disclosure would be privileged. Check this with your manager or member of the management committee

## **THE RESPONSIBLE PERSON**

LWCA management committee has overall responsibility for the maintenance and operation of this policy. We maintain a record of concerns raised and the outcomes (but in a form that does not endanger your confidentiality) and will report as necessary to OFSTED.