



Clovelly House

## Policy & Procedure Whistleblowing Policy

(Quality Standard 7, 9)  
Regulation 10, 12)

**February 2022**



# Clovelly House Policy

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**Reporting officers:** Whistleblowing reports should be made to:

Amy Hollingsworth – Home Manager - 01455-828003

Sarah Smith – RI - 07853852519

If the referral is about Sarah Smith or Jennifer – report directly to LADO – 0116- 3057597



# Clovelly House Policy

## 1. Introduction

The policy will reflect the principles set out in the Francis review 'Freedom to speak up'.

1.1 Clovelly House is committed to delivering high quality services to its customers and to that end expects high standards from its employees and contractors. In order to maintain those high standards a culture of openness and accountability is vitally important. The aims of this policy are four-fold:-

- to encourage all staff members to raise concerns about malpractice within the organisation without fear of reprisal;
- to ensure that all staff members contribute to an ethos of openness to ensure that safeguarding issues are addressed
- to reassure staff members that concerns will be taken seriously;
- to provide information for staff members about how to raise concerns and explain how the Company will respond

## 2. Scope of the Policy

2.1 This policy applies to all Company employees, former employees, agency staff and contractors engaged by the Company.

## 3. What is whistleblowing?

3.1 In practical terms, whistleblowing occurs when a concern is raised about danger or illegality that affects others, e.g. young people, members of the public or the Company itself. Any staff member 'blowing the whistle' would not usually be directly affected by the danger or illegality. Consequently, the staff member would rarely have a personal interest in the outcome of any investigation into concerns raised.

3.2 This policy is different from a complaint or grievance. If a staff member makes a complaint or lodges a grievance, he/she is saying that they personally have been poorly treated. This poor treatment could involve a breach of individual employment rights or bullying and, therefore, the staff member would be entitled to seek redress for him/herself.

## 4. Blowing the Whistle on Malpractice

4.1 Malpractice covers a wide range of concerns. The types of activity that should be disclosed include, but are not limited to, the following:-

- fraud or corruption
- financial maladministration
- unauthorised use of company funds
- the physical, emotional or sexual abuse of clients
- failure to comply with legal obligations
- endangering of an individual's health and safety
- damage to the environment
- a criminal offence



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- failure to follow financial and contract procedure rules
- showing undue favour to a contractor or a job applicant
- miscarriages of justice
- deliberate concealment of information relating to any of the above

4.2 In the case of suspected malpractice, a staff member should raise his/her concerns with the manager as soon as possible. The earlier the concerns are raised the easier it will be to take action. The person raising the alarm, (the whistleblower), is a witness to events, not a complainant and so he/she does not need to wait for proof of malpractice before raising concerns.

4.3 When reporting a concern, the staff member should provide as much information and detail as possible. In particular, he/she should provide the full names of the people involved or who know about what is happening, including the names of company employees or contractors, dates of events and any relevant documentation. This will help the investigator to focus their investigation on the main issues quickly.

4.4 There will be some cases where it is not appropriate for staff members to raise concerns with the manager, for example where it is suspected that the manager already knows about the malpractice and appears to be 'turning a blind eye', or where you suspect that the manager may be involved. In those cases, the concerns should be reported to the Principal or Director of the company.

4.5 Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. A staff member who has initiated the enquiry will be advised whether an investigation will take place or not. When making a decision the Company will consider whether continuing with an investigation is in the public interest. However, all cases which may concern safeguarding matters will be referred to the appropriate authorities

### **5. Advice and Support**

5.1 The Company recognises that employees may wish to seek advice and support from their trade union before blowing the whistle. When any meeting or interview is arranged, a staff member may wish to be accompanied by a trade union or professional association representative.

### **6. Confidentiality**

6.1 The Company understands that a staff member may be reluctant to come forward with information about the wrongdoing of a colleague or manager. As such, the Company recognises that whistle-blowers may wish to raise concerns in confidence. If the staff member, (the whistle-blower), makes a request for the matter to be kept confidential then that staff member's identity will not be revealed without discussing the matter with him/her first.

### **7. Anonymous Allegations**



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7.1

Staff members are encouraged to give their name when raising concerns. A concern expressed anonymously is much less powerful and is often more difficult to investigate. The decision whether to investigate an anonymous allegation will be made by the Home Manager in consultation with the Principal. When making this decision they will take into account the seriousness of the issues raised, the credibility of what is being said and the likelihood of confirming the allegation from other sources.

### **8. Protection for the Whistle-blower**

8.1 All concerns raised under this procedure will be treated seriously and a decision made about whether or not an investigation is appropriate. Depending upon the nature of the matter it may be referred to the Local Authority, Safeguarding Children Board, auditor or the police. The person to whom the staff member reported his/her concern will be responsible for keeping that staff member informed about the progress of the investigation and the action that has been taken, although he/she may not be told the outcome.

8.2 In some cases the investigation may result in criminal or disciplinary proceedings. If this happens the staff member, (whistle blower), may be invited to give a written statement or give evidence at a hearing. The Company will support the staff member in this process and ensure that he/she is clear about what will happen.

8.3 The Company will not tolerate harassment or victimization and will take action to protect any staff member who has raised a concern in good faith. Any employee who is found to have victimized or harassed an employee who has raised a concern will face disciplinary action.

### **9. Allegations not made in Good Faith**

9.1 Concerns that are raised frivolously, maliciously, for personal gain or where they are known to be untrue may result in disciplinary action or, in the case of agency staff, the termination of the agency contract. In the case of contractors, the matter will be reported to the Company's relevant contract manager so that a decision can be made about the appropriate action to take.

**See also:** Clovelly House 'Harassment Policy'  
Clovelly House 'Disciplinary Policy'  
Clovelly House 'Child Protection Policy'  
Clovelly House Safeguarding Policies

Children's Homes: Quality Standards

Francis Review 'Freedom to speak up'