



**Appendix 2 of Safeguarding Policy**

## **Whistleblowing Policy**

### ***Introduction***

All My Guardians personnel have a responsibility for raising concerns about unacceptable practice or behaviour in order to prevent the problem become worth. We value and protect personnel who report colleagues they believe are doing something wrong or illegal, or who are neglecting their duties.

We provide training to our personnel about raising concerns and how we follow up their concerns. We explain our whistleblowing policy as part of their induction process.

Whistleblowing has a key role to play in safeguarding children. My Guardians recognise that students cannot be expected to raise concerns in an environment where adults fail to do so. All adults involved in My Guardians' provision of care should be aware of their duty to raise concerns, where they exist, about the management of child protection, which may include the attitude or actions of other adults.

Inappropriate conduct includes, but is not confined to:

- Bullying or humiliation
- Contravening health and safety guidelines
- Serious breaches of My Guardians code of ethical practice
- Professional practice that falls short of normally accepted standards
- Compromising students' welfare but in a way that does not meet the threshold for child protection intervention.

### ***How whistleblowing is protected***

Law protects everyone who report any of the following:

- A criminal offence, e.g. fraud
- Someone's health and safety is in danger
- Risk or actual damage to the environment
- A miscarriage of justice
- The company is breaking the law, e.g. doesn't have the right insurance
- You believe someone is covering up wrongdoing. The wrongdoing you disclose must be in the public interest.

Personal grievances, e.g. bullying, harassment, discrimination, are not covered by whistleblowing law, unless a particular case is in the public interest or a person is whistleblowing about another individual.

'Concerns' will usually be something you have seen at work - though not always. The wrongdoing you disclose must be in the public interest. This means it must affect others, e.g. the public. As a whistle-blower you are protected by law - you should not be treated unfairly or lose

your job because you 'blow the whistle'. You can raise your concern at any time about an incident that happened in the past, is happening now or you believing will happen in the near future.

My Guardians encourages all its personnel, in order to protect and reduce risks to others, whistleblowing in the following instances, in addition to the above:

- Where an act is against My Guardians policies and procedures
- Where an act is below My Guardians standards
- Where an act is against My Guardians Codes of Conduct.

### ***Reasons for blowing the whistle***

Staff will naturally be reticent to report a concern about the conduct of a colleague. However, each individual must take responsibility for ensuring that pupils are fairly treated. If poor practice is allowed to continue unchecked, it could escalate with serious consequences.

Your action not only protects pupils, but also deters any suggestion that you have colluded with poor practice that you knew was occurring but chose to ignore.

Where personnel have concerns, they should firstly report it internally before using an external prescribed body. Making a report to an external person may only be undertaken where the personnel thinks My Guardians will cover the matter up, would treat them unfairly if they complained or have raised the matter before, but the concern hasn't been dealt with.

### ***Making your claim anonymously or confidentially.***

You can tell DSL at My Guardians or a prescribed body anonymously but they may not be able to take the claim further if you have not provided all the information they need. You can give your name but request confidentiality - the person or body you tell should make every effort to protect your identity. If you report your concern to the media, in most cases you will lose your whistleblowing law rights.

### ***Who to tell and what to expect***

The procedures should be as follows:

- You can report your concerns to the Designated Safeguarding Lead (DSL) at My Guardians, Irina Bowman, telephone 07919425660 or email to [info@myguardians.co.uk](mailto:info@myguardians.co.uk)
- If appropriate, the DSL will inform the LADO in relation to issues regarding safeguarding of children or if necessary local authority department/governing body for issues not in relation to child safeguarding.
- There are other options if you do not want to report your concern to My Guardians, e.g. you can get legal advice from a lawyer, or tell a prescribed body such as AEGIS. If your concern is regarding the treatment of a child, you can contact the NSPCC.
- The NSPCC has a whistleblowing helpline, which is available for staffs that do not feel able to raise concerns regarding child protection failures within the organisation (My Guardians). Staff can call 0800 028 0285 between 8am and 8pm Monday to Friday or can email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

### ***Support and advice:***

NSPCC Whistleblowing Helpline: 0800 028 0285 Childline provides help and advice for children and young people. Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Protect: 020 3117 2520 for free, confidential whistleblowing advice.

Website: [www.pcaw.co.uk](http://www.pcaw.co.uk)

## *Process when whistleblowing received*

Designated Safeguarding Lead at My Guardians will carry out a prompt and thorough investigation.

Concerns should be put in writing, including the following information:

- Details of the concern raised under the whistleblowing policy
- Background and history of the concern
- Names, dates and places where possible
- Reasons why there is concern about the particular situation
- Your name and contact details. Alternatively, you may act anonymously.

If for any reason the concern cannot be put in writing, then phone call or meeting with DSL will be arranged. Though personnel making the allegation will not be expected to prove the truth of any allegation, they will need to demonstrate to DSL that there are sufficient grounds for their concern.

The earlier a concern is raised, the easier and sooner it is possible for My Guardians to act.

## *What My Guardians or a prescribed body will do*

After a concern received, My Guardians will:

- Provide support to person who raised it.
- Provide transparency and accountability during the course of investigation.
- Ensure there is an external review if appropriate.
- Update the person who raised the concern on progress of any investigations.
- Take action to protect this person from any inappropriate actions, e.g. harassments.
- Provide mediation and dispute resolution if appropriate.
- Do our best to protect the staff members' identity if they do not want their name disclosed.
- Will not take action against the member of staff raising the concern if raised in good faith that is later confirmed to be unfounded.

DSL at My Guardians will make initial enquiries, following a meeting with the member of staff making the allegation, to decide whether an investigation is required and what should be done.

The concern raised may:

- Simply be resolved without the need for further investigation
- Involve an internal investigation by DSL at My Guardians
- Be referred to the Local Authority Designated Officer (LADO) for advice
- Be referred to the Police
- Form the subject of an independent inquiry.

Some concerns might be covered by our other policies and procedures and will be addressed under those procedures, e.g. disciplinary procedures.

Within ten working days of a concern being received, DSL will send the member of personnel a written response detailing:

- Acknowledgement of the allegation in writing
- Indication of how My Guardians propose to deal with the matter
- An estimate of how long it will take to provide a final response

- An indication of whether any initial enquiries have been made
- Indication whether further investigations will take place and if not, why not

All cases of whistleblowing will be recorded and kept on My Guardians files.

Further it information and advice can be found here: <https://www.gov.uk/whistleblowing>

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