



ANDERIDA ADOLESCENT CARE

WHISTLEBLOWING

Anderida Adolescent Care is committed to tackling malpractice and will treat it as a serious matter. This policy reflects Anderida's commitment to openness in relation to the care of young people and the importance of an individual's ability to draw attention to malpractice and/or abuse of young people in our care. At Anderida it is a requirement that you report colleagues if you are aware or suspect they have acted in breach of the policies/ procedures or in any way that could be construed as poor conduct. Issues that raise safeguarding concerns or may constitute gross misconduct would need to be passed on immediately. Failure to do so will be investigated and if substantiated may result in disciplinary measures.

The term 'whistle blowing' might be taken to imply a need for malpractice to be reported covertly or secretly, or perhaps in some way which is not quite in accordance with proper processes and procedures. This conveys the wrong impression; individuals should feel able to draw attention to perceived malpractice openly, and within existing procedures. Indeed, all staff have a duty to report malpractice. Anderida seeks to define its procedures in such a way that they already cover most cases where the actions of others could be brought into question.

Anderida's willingness to address all complaints may raise the risk of vexatious or malicious complaints being made. Not only are such complaints unfair to the person about whom they are made but investigating and dealing with them will consume considerable amounts of senior staff time. Deliberate submission of false complaints will be regarded as a breach of trust and may result in disciplinary measures.

Should staff have any concerns about the conduct of their colleagues, they should contact the Safeguarding Officers (Erica Castle, or Amy Mitchell), immediately. The concerns should also be discussed and recorded, inclusive of action taken, in their subsequent supervision. Anderida will contact the LADO to take advice where required and all outcomes will be shared with them. If the allegation of malpractice is against the directors of the company/the Safeguarding Officer's and therefore the responsible body, then the employee may wish to discuss the matter with Ofsted or the Local Authority (see whistleblowing flow chart).

Reports of malpractice will be taken seriously and will be investigated. Recipients of reports of malpractice will take them seriously and be seen to do so. This will require them to record both; the receipt of an allegation and details of the subsequent action that was taken. Their attitude will be one of acceptance, recognising that the complainant genuinely believes that a problem exists and that there may be good reason to bypass the normal structure if they have done so. Individuals should therefore feel confident that a report of malpractice will be taken seriously and properly investigated and that they will not suffer any criticism or disadvantage for raising concerns genuinely held, even if they prove to be unfounded.

Managers will act in consultation with directors and where relevant with LADO to decide if an allegation against staff is a serious safeguarding concern or could constitute gross misconduct, in these cases staff will usually be suspended.

Against this background, it will not normally be necessary or appropriate given the nature of the role and responsibilities around whistleblowing, for individuals to raise cases anonymously. However, evidence presented anonymously will be treated seriously and investigated as far as is practicable and as seems warranted, though it may be considerably more difficult to investigate anonymous reports. Wholly anonymous allegations unsupported by any evidence will not normally be pursued. If an individual does feel compelled to lodge a report of malpractice anonymously, they should endeavour to explain why they have chosen this path (although it is recognised that their capacity to do so without forfeiting anonymity might be limited) and provide such evidence as is available to them.

The confidentiality of staff reporting malpractice will be guaranteed as far as practicable. Should the complaint reveal behaviour of a potentially criminal nature or result in disciplinary measures, confidentiality is unlikely to be compatible with full investigation of the matter or with prosecution. In all circumstances, Anderida will fulfil its obligations under the law and will not stand in the way of investigation by the police, Ofsted, child protection or other legal body, and the complainant could come under pressure to forego confidentiality as a consequence.

As far as is consistent with necessary confidentiality regarding personal matters, the complainant will be informed of the outcome of the investigation; if no action is taken an explanation will be offered.

Anderida is fully committed to observing the principles of natural justice in its handling of such matters. This applies equally to those against whom complaints are made, as well as those who make them. For this reason, whatever the circumstances of any complaint, there will come a point in the investigation of an allegation where the person or persons against whom it is made must be told of the allegation, shown the evidence supporting it and be allowed to comment before the investigation is completed and a report is made. It will be a matter of judgement at what point this is reached in the light of the circumstances and the need to avoid giving an alleged wrong doer the opportunity to corrupt the enquiry in some way.

Deliberately false or malicious, unfounded reports of malpractice are a breach of trust and disciplinary action under the relevant procedure may be taken against the individual concerned. All staff have a duty to safeguard themselves, the organisation and the young people.

All staff are given training in the area of complaints and whistleblowing.