



YOWSUN CARE WHISTLEBLOWING POLICY

OUTCOME 12, REGULATION 21 (Requirements Relating to Workers)

Policy Statement

Yowsun Care's policy on "whistle-blowing" sets out to comply in every aspect with the Public Interest Disclosure Act 1998 in protecting and not victimising staff who seek to report and have investigated genuine and reasonable concerns about any form of malpractice that they encounter in their work.

At the same time, the organisation does seek to create an atmosphere of open communication and commitment to high standards of work, within which criticisms can be frankly made and thoroughly investigated.

Yowsun Care also recommends that its staff make arrangements to have access to independent legal advice in the event of their being involved in allegations as whistleblowers or as people against whom allegations are made. They are encouraged to do this through membership of a trades union or professional organisation that includes legal advice as part of its services.

Aim of Policy

This document outlines the organisation's policy on its response to allegations or reporting of abuse of clients and other forms of misconduct made by one or more members of staff against other staff. These actions are known as "whistle-blowing".

The requirement to have such a policy arises because in the past, the management of organisations have often treated people as troublemakers who have reported or alleged malpractice by colleagues. It is now legally recognised that staff in a position to observe and report bad practice should be enabled to do so without fear of repercussions on their conduct and career prospects. Indeed, if they should fail to report malpractice, they could be accused of colluding in it and therefore guilty of misconduct.

Obligations on Staff to Report Abuse

The organisation requires all staff to observe the organisation's work, carefully and report diligently on anything that causes them concern. We believe that teamwork and loyalty to colleagues should not be allowed to deter staff from reporting suspected abuse, criminal acts, neglect of clients or bad practice that is against the Skills for Care Code of Conduct for Social Care Workers and follows the guidelines issued by CQC. Any member of staff who witnesses or suspects abuse by another member of staff should report on it as soon as possible to their line manager. The

manager will accept responsibility for the actions that follow and will assure the “whistleblower” that they have acted correctly by reporting the matter and will not be victimised.

Despite the assurances the organisation gives to its staff, the organisation accepts that there may be incidents that the staff member does not feel confident or able to report in the first instance to the manager. Where this is not appropriate or considered too sensitive the worker should report to any director of the company. The organisation then accepts the right and obligation of the staff member to report their concerns to an outside authority such as the police, the Local Authority Safeguarding unit or to the Care Quality Commission to initiate an investigation. The organisation provides every staff member with the contact details, which are included in this policy, of these agencies in the staff handbook. The organisation will not penalise or victimise any staff member who responsibly reports their concerns in these ways.

Investigating and Dealing with Allegations

The manager to whom abuse by a staff member is reported should take the necessary steps under the organisation’s policy on safeguarding. In addition, they should if possible, protect the source of the information. If a manager fails to act promptly, suppresses evidence or is involved in any action to discourage whistleblowing, they may render themselves liable to disciplinary action.

Dealing with Interference with or Victimisation of Staff who have Reported Abuse

Any member of staff who attempts to prevent a staff member from reporting their concerns to a manager or who bullies, attempts to intimidate or discriminates against a colleague in these circumstances will be dealt with under disciplinary proceedings. A whistle-blower who feels themselves to be subject to hostile action from colleagues should inform their manager, who should if necessary take steps to alter the staff member’s duties so as to protect them from the hostile action. The organisation includes in its staff handbook information on how to make contact with the Public Concern at Work organisation that has been established to protect whistleblowers from victimisation and bullying as a result of their actions.

Unjustified Reporting

Yowsun Care’s managers take reports from whistle-blowers seriously and investigate all allegations thoroughly. Any allegations against colleagues, however, which are found to be merely flippant or malicious, may render the person who made them liable to disciplinary action and criminal proceedings.

Training

All new staff receive training in this policy on whistleblowing as part of the induction training. Staff receive updated training as needed as policies change.

In addition, the government has set up a whistle blowing helpline for NHS and Social care. This is available to both managers for advice and staff for reporting purposes. This telephone number is 08000 724 725.

www.dh.gov.uk/health/2011/12/whistleblowing-helpline

Contact Details

Care Quality Commission

Citygate Gallowgate

Newcastle Upon Tyne NE1 4PA

Local Authority Safeguarding

Essex Safeguarding Adults Board

Email: ESAB@essex.gov.uk

Social Care Direct – Essex

Email: socialcaredirect@essex.gov.uk

Telephone: 0345 603 7630

Textphone: 0345 758 5592 -

Local Police:

Southend Police: Tel - 01245 491491

Call 999 for emergency and 101 for non-emergency

This policy will be reviewed by the registered manager.

Policy Title	Yowsun Care Whistleblowing Policy
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