

# Fostering

# Whistleblowing

The Trust Board has granted the Chief Executive of the Sandwell Children's Trust the authority to approve this document.

# Whistleblowing

## Regulations and Standards

The Fostering Services (England) Regulations 2011

[Regulation 11 - Independent fostering agencies—duty to secure welfare](#)

Fostering Services: National Minimum Standards:

[STANDARD 4 - Safeguarding children](#)

[STANDARD 19.6 – Suitability to work with children](#)

## Scope of this Chapter

This chapter informs staff, carers, volunteers and panel members on how to report any wrongdoing at work or 'blow the whistle' without fear of being victimised or dismissed.

## Relevant Guidance

[Raising Concerns at Work: Whistleblowing Guidance for Workers and Employers in Health and Social Care \(2014\)](#)

[NSPCC Whistleblowing Advice Line](#)

## Contents

1. Specific Subject Matter
2. The Appropriate Way
3. Child Protection

## 1. Specific Subject Matter

The law allows members of staff to make a 'protected disclosure' of certain information. To be classed as 'protected', a disclosure must relate to a specific subject matter and be made in an appropriate way.

Specific subject matters include:

- A criminal offence has been, is being or is likely to be committed;
- A person has failed, is failing or is likely to fail to comply with any legal obligation;
- Improper use of funds;
- Possible fraud or corruption;

- Discrimination of an employee or service recipient on the grounds of sex, age, race, disability, religion, belief or sexual orientation;
- A miscarriage of justice has happened, is happening or is likely to happen;
- The health and safety of any individual has been, is being or is likely to be damaged;
- Damage to the environment has occurred, is occurring or is likely to occur;
- Information showing any of the above has been, is being or is likely to be deliberately concealed;
- Other unethical conduct.

## 2. The Appropriate Way

Members of staff should firstly raise their concerns with their line manager so that any appropriate action can be taken. If it is inappropriate to be shared with their line manager, they should speak with a different member of the management team.

After the matter has been raised, the matter will be looked into and where appropriate an internal inquiry or formal investigation will be carried out. The member of staff will be advised of the outcome to the extent that it is appropriate to do so although it may not be possible to include precise information as to the outcome as this may be in breach of the agency's duty of confidence owed to someone else.

If the member of staff ('whistle blower') is not satisfied with the outcome they can then contact the fostering manager who deals with complaints.

A disclosure should be made in good faith. It should not be for personal gain and members of staff must reasonably believe that the information is substantially true. They are expected to act reasonably when making a 'protected disclosure'.

Failure to follow this procedure for making a disclosure may result in the disclosure of information losing its protected status.

## 3. Child Protection

The fostering agency is committed to promoting and safeguarding the welfare of children. Any matter that comes to the attention of carers, staff, volunteers and panel members and is of a child protection nature will be reported to the relevant authorities under the Safeguarding Children and Young People Procedure.

Where a member of staff, volunteer, panel member or foster carer considers that a child protection matter has arisen within the agency and has not been dealt with appropriately, s/he may make use of this procedure and report matters of concern to the senior manager within the agency or a report can be made to the local authority (for the area where the child is placed or the relevant person lives) or to the Regulatory Authority.