



Managing Allegations and Whistleblowing Policy 2023-24
Latest version: November 2023

Introduction

It is the duty of everyone in Crea Norfolk to pass on any allegations or concerns about a child's welfare without delay. Any concerns or allegations about a volunteer or staff member must be reported immediately.

We believe that anyone who raises a concern about a colleague's actions or behaviour towards a child should be treated with respect and not suffer because of reporting these concerns.

Definition

Whistleblowing is the term used to describe the disclosure of information about suspected wrongdoing or dangers identified at work. We want staff and volunteers to feel confident to whistleblow and report certain types of wrongdoing from another colleague.

Whistleblowing is a mechanism where staff or volunteers can voice their concerns, without fear of repercussion in circumstances where their concerns have not been dealt with or they do not feel able to follow usual reporting lines for some reason.

Certain types of wrongdoing or dangers that are reported are regarded as being in the public interest. These are specified with The Public Interest Disclosure Act 1998 and Employment Rights Act 1996 and concern the following matters:

- Any criminal offence
- Any breach of a legal obligation or duty
- A miscarriage of justice
- A danger to the health and safety of any individual
- Dangers to the environment
- Deliberate concealment of information tending to show any of the above five matters.

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There may be other concerns, which may still meet the public interest criteria, which could include:

- behaviour and conduct of staff / volunteers
- employment issues
- poor standards

Whistleblowing Procedure

Whistleblowing concerns within the organisation should be reported in writing explaining the full information and circumstances that have given rise for the concern.

This should be sent to the directors in charge of provision via email or letter.

The directors will respond to your concern to acknowledge it has been raised as soon as possible and within seven working days.

Upon receiving the concern they will discuss this with you and make enquiries to decide whether an investigation is appropriate and what the next stage is.

Whistleblowing to a Prescribed Person or Body

If a staff member or volunteer decides to whistle blow to a prescribed person rather than our organisation, they must make sure that they have chosen the correct person or body for the issue:

Children's Commissioner for England

Contact them about matters relating to the rights, welfare and interests of children in England.

The Office of the Children's Commissioner

Sanctuary Buildings

20 Great Smith Street

London

SW1P 3BT

Tel: 020 7783 8330

Email: info.request@childrenscommissioner.gov.uk

Website: www.childrenscommissioner.gov.uk

The National Society for the Prevention of Cruelty to Children (NSPCC)

Contact them about matters relating to child welfare and protection.

NSPCC

Weston House

42 Curtain Road

London

EC2A 3NH

Tel: 0800 028 0285

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This phone line is staffed 365 days a year:

Mon-Fri (incl. bank holidays) 8am to 10pm

Weekends 9am to 6pm

Email: help@nspcc.org.uk

Website: www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/

His Majesty's Chief Inspector of Education, Children's Services and Skills ('the Chief Inspector')
Contact them about matters relating to regulation and inspection of children's social care.

Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD
Tel: 0300 123 3155
Email: whistleblowing@ofsted.gov.uk

Disciplinary procedures when an allegation has been made against a staff member or volunteer

If an allegation has been made against a member of staff, director or volunteer, then they will be suspended pending an investigation.

The role of the Local Authority Designated Officer (LADO) when an allegation has been made

Our aim is to provide a safe and supportive environment which secures the wellbeing and very best outcomes for the children who attend our setting. We do recognise that sometimes the behaviour of adults may lead to an allegation of abuse being made.

Allegations sometimes arise from a differing understanding of the same event, but when they occur, they are distressing and difficult for all concerned. We also recognise that many allegations are genuine and there are some adults who deliberately seek to harm or abuse children. We work to the thresholds for harm as set out in 'Working Together to Safeguard Children' (2018) and "Safeguarding Vulnerable Groups Acts 2006".

An allegation may relate to a person who works / volunteers with children who has:

- behaved in a way that has harmed a child, or may have harmed a child and/or;
- possibly committed a criminal offence against or related to a child and/or;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; and/or

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- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

The 4th bullet point above recognises circumstances where a member of staff (including locum or supply staff) or volunteer is involved in an incident outside of setting/agency/work place which did not involve children but could have an impact on their suitability to work with children; this is known as transferrable risk.

At Crea Norfolk we recognise our responsibility to report / refer allegations or behaviours of concern and / or harm to children by adults in positions of trust known to us, but who are not employed by our organisation to the LADO service directly at lado@norfolk.gov.uk

We will take all possible steps to safeguard our children and to ensure that the adults at Crea Norfolk are safe to work with children. When concerns arise, we will always ensure that the safeguarding actions outlined in the local protocol and procedures [NSCP Protocol 8.3 – Allegations Against Persons who Work/Volunteer with Children](#) and [The Management of Allegations Against People Working with Children Procedure](#) are adhered to and will seek appropriate advice.

If an allegation is made or information is received about any adult who works/ volunteer in our setting which indicates that they may be unsuitable to work / volunteer with children, the member of staff receiving the information will inform Crea Norfolk's Designated Safeguarding Officer, Charlie Wall, immediately. This includes concerns relating to agency, supply and specialist staff, students and volunteers.

Should an allegation be made against the most senior member of staff and/or directors, this will be reported to the LADO.

For further information on the role/remit of Norfolk LADO Service, please see [NSCP Protocol 8.3 – Allegations Against Persons who Work/Volunteer with Children](#) and [The Management of Allegations Against People Working with Children Procedure](#)

The role of the Disclosure and Barring Service when an allegation has been made

If an allegation has been made about a staff member or volunteer then Crea Norfolk has a legal duty to make a barring referral if the following conditions are met:

Condition 1

- You withdraw permission for a person to engage in regulated activity with children and/or vulnerable adults. Examples: dismissed, re-deployed, retired, been made redundant or retired.

Condition 2

You think the person has carried out 1 of the following:

- Engaged in relevant conduct in relation to children and/or adults. An action or inaction has harmed a child or vulnerable adult or put them at risk or harm or;
- Satisfied the harm test
- Received a caution for, or a conviction for, or been convicted for a relevant offence

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The referral can be completed online via the DBS website.

Crea Norfolk's Safeguarding Lead is responsible for making the barring referral. If the allegation is against the Safeguarding Lead, the barring referral will be made by a director (other than the Safeguarding Lead, if they are also a director).

Contact details

Senior lead for safeguarding and child protection:

Name: Charlie Wall

Email: operations@creanorfolk.co.uk

NSPCC helpline

0808 800 5000

We are committed to reviewing our policy and good practice annually.

This policy was last reviewed on: November 2023

Signed and approved by Directors of Crea Norfolk in November 2023