



Birmingham Child Contact Centre

WHISTLEBLOWING AND DEALING WITH CONCERNS POLICY

Volunteers or users of a Child Contact Centre are often the first to realise that there may be something seriously wrong within their setting. However, they may not express their growing concerns because they feel that speaking up would be disloyal to their colleagues. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may be just suspicion of malpractice or wrongdoings at work.

Birmingham Child Contact Centre (BCCC) is committed to the highest possible standards of openness, honesty, decency and accountability. In line with this commitment, we encourage volunteers and others who have genuine concerns about any person linked with the setting and/or others (e.g. Parents/Carers), or about the Contact Centre's implementation of its policies and procedures, to come forward and voice those concerns.

This policy document makes it clear that volunteers, Parents/Carers, members, or outside agencies can do so without fear of reprisals or victimisation. This Whistleblowing and Dealing with Concerns Policy is intended to encourage and enable volunteers and others to raise such concerns within BCCC rather than raising them outside the organisation or overlook the problem.

Aims and Scope of this Policy

This policy aims to:

- To provide a procedure for dealing with concerns expressed about the operation of BCCC, other than those which would be more appropriately be dealt with by the Complaints, Disciplinary or Grievance Procedures.
- Provide avenues for Users of BCCC, Volunteers, Members and outside agencies to raise genuine concerns and receive feedback on any action taken and to allow them to take the matter further, if they are dissatisfied with the outcome or response;
- Provide reassurance that steps will be taken to protect anyone from reprisals or victimisation for whistleblowing in good faith.

This Whistleblowing and Dealing with Concerns Policy is intended to cover genuine concerns that fall outside the scope of other procedures. Such concerns may be about something that:

- Is against the policies and procedures of Birmingham Child Contact Centre;
- Falls below established standards of practice;
- Amounts to improper conduct;
- Is a Health and Safety risk, including risks to the public as well as children, other colleagues, parents/carers and others;
- Contributes to a safeguarding risk involving children in / at BCCC;
- Incidents that could bring BCCC into disrepute.
- Incidents that have led or could potentially lead to the intervention of statutory bodies, e.g. the police, Children's Services or Birmingham Safeguarding Board.

All volunteers, members, parents/carers will be made aware of the procedure and other agencies where appropriate. Copies are available on the internet (birmccc.org.uk) and hard copies are available on request.

All concerns which are expressed in good faith by users, volunteers or others are welcomed by BCCC. It is the policy of BCCC to try to identify any weaknesses or possible threats to the organisation by

regular Strength, Weaknesses, Opportunities and Threats (SWOT) analyses. In the same vein, BCCC may use the procedure described below for dealing with concerns registered by individuals to investigate an urgent threat to the organisation, e.g. a financial crisis.

BCCC respects the rights of Whistleblowers and the following paragraphs outline the way in which we try to safeguard those rights:

Harassment or Victimisation

BCCC recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal. BCCC will not tolerate harassment or victimisation and will take action to protect when concerns are raised in good faith. However, should a whistleblower feel that they have suffered harassment, either directly or indirectly as a result of raising a concern, they should refer to the Grievance Procedure (Volunteers), or Complaints Policy (Parents/Carers).

This does not mean that if a whistleblower is already the subject of disciplinary procedure, that those procedures will be halted as a result of Whistleblowing. This also applies to users who are in dispute with the Centre

Confidentiality

BCCC will do its best to protect a whistleblower's identity when concerns are raised. However, it must be appreciated that, in the interests of natural justice, any investigation process may reveal the source of the information and a statement by the whistleblower may be required in evidence.

Anonymous Allegations

Whistleblowers are strongly encouraged to put their name to any allegation. Concerns expressed anonymously are much less powerful. Anonymous allegations will be considered and any action taken would be at the discretion of BCCC and in conjunction with the relevant agencies, where appropriate.

In exercising this discretion, the following factors will be taken into account when considering how to deal with anonymous allegations:

- The seriousness of the issues raised;
- The credibility of the allegation;
- The likelihood of confirming the allegation from attributable sources.

Malicious or Vexatious Allegations

If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken. If, however a malicious or vexatious allegation is made, disciplinary action may be taken against the whistleblower in accordance with BCCC procedures.

If a user of BCCC makes what is found to be a malicious or vexatious allegation, the records of matter will be kept.

How to Raise a Concern

If you are a user of the Contact Centre or a volunteer, as a first step you should normally raise concerns with the Volunteers & Families Co-ordinator / Duty Co-ordinator or team leader. This depends however, on the seriousness and sensitivity of the issues involved and who you think may be involved in any malpractice. For example, if you believe that a BCCC Volunteers & Families Co-ordinator / Duty Co-ordinator or Team Leader is involved, you should approach the Chair of the Management Committee.

If you feel the Chair of Management Committee may be involved, you should approach any other member of the Management Committee, ideally the secretary. If this is not possible you should raise your concerns with the Chief Executive of NACCC.

With specific regard to Safeguarding issues, that may involve a volunteer, you should initially consult with the Volunteer or the Trustee named in the Safeguarding Policy Document who have responsibility for such issues. If you suspect they or the management committee may be related to the issue you should contact the NACCC Safeguarding Manager for advice. If you believe that a child is at risk of immediate harm, you should contact the Police and Birmingham Children's Services Referrals Department for advice and assistance. Contact details are available at the end of this policy.

Whistleblowing concerns are best raised in writing. You are advised to set out background and history of your concerns, giving names, dates and places, where possible, and the reason why you are

particularly concerned about the situation. If it is a general issue, please refer to the policy that is believed to be at fault or which is being inappropriately implemented. The earlier you express your concern, the easier it is for BCCC, NACCC, or your local authority Children's Services Safeguarding Team to take action.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to BCCC that there are sufficient grounds for initial enquiries to be made.

The BCCC Investigating Panel

BCCC will appoint an Investigating Panel to consider all whistleblowing Concerns, Complaints, Disciplinary and Grievance matters. The Panel will be managed by a 'Deciding Officer'.

It is essential for the Deciding Officer and members of the Panel to be as impartial as possible and not to be involved in the day-to-day activities of the Centre. It will be the Deciding Officer's responsibility to select the Panel members, if it is a minor matter, it can be dealt with on his or her own. If it is an existential matter, it may be that a person from NACCC should be present and that there should be five members. The Deciding Officer, if appropriate, will try to accommodate the wishes of BCCC and the person instigating the matter. S/he may invite others with relevant experience to sit on the Panel as advisers.

The investigation will be in three stages:

- The Deciding Officer (DO) will consider the submission made by the whistleblower or the person who raised the concern and the BCCC's initial response. The DO will discuss the matter with them and the way s/he, as the DO, is minded to proceed with the investigation.
- The second stage will be an informal discussion between the DO, the person who expressed the concern about the BCCC (the whistleblower) and a 'presenting officer' to put forward BCCC's case. The purpose will be to prepare a set of typed pages outlining each side's position, the points that are agreed and not agreed and to negotiate how the differences can be resolved. The papers to be presented at the third stage and the individuals who may be called will be agreed. Anyone, about whom an allegation is made, must be told in reasonable time and have opportunity to represent themselves.
- The third stage will consist of a presentation of the concern felt by the whistleblower backed up by written or verbal evidence, as agreed at the second stage. The presenting office and the DO may ask further questions. The presenting office will then submit the BCCC response along with the evidence as agreed. That will then be questioned. The DO will then summarise their findings and conclusions.

How Birmingham Child Contact Centre will respond:

BCCC will treat all issues raised by users, members, volunteers, Outside Agencies or Individuals with equal respect. Whistleblowing implies that an organisation has resisted considering an issue that the whistleblower believes is important. If the 'whistle is blown' because someone within BCCC stifled the consideration of a concern expressed in good faith, the investigation will be conducted with the same rigour as it would be if the concern was shared immediately when raised.

The initial action taken by BCCC will depend on the nature of the concern expressed, but all will be acknowledged, with a copy of this policy document and they will be informed that BCCC will be contacting them directly in the near future. The first steps will be:

1. An urgent, but preliminary, investigation on the information available to decide whether it should be referred to a statutory body, such as the Police or Children's Services, in which case, the referral will be made immediately.
2. If, however, it is found at this stage that the concerns may be resolved by agreement with the whistleblower, there may be no need for investigation.
3. A decision will be made on whether BCCC's Complaints and Grievance Procedures or the Whistleblowing's procedure would be the more appropriate. The decision will be based on the criteria on Page 1.
4. The Deciding Officer will select the form of the Investigating Panel, according to its sensitivity and complexity.

Allegations referred directly to NACCC or Children's Services will be dealt by them in accordance with their policies and procedures. BCCC will cooperate fully with their inquiries and will conduct its own investigation in the same way as if we had made the referral ourselves. The purpose of the inquiry at this stage would be to ascertain if any internal action needed to be taken immediately. Any official inquiry must not be prejudiced by BCCC's contact with any individuals involved.

The Deciding Officer's Investigation

The investigation will be conducted in the following spirit:

- It shall be conducted as expeditiously as practicable. Except in exceptional circumstances, a target will be set for completion within one month.
- It shall be conducted impartially and be seen to be impartial.
- An objective is always to achieve a result that is unanimously agreed by everyone and the investigation concluded. A report would then be made to the Trustees to that effect, including, if appropriate, any recommendations made.
- All parties will be facilitated in presenting their case.
- The DO will endeavour to achieve unanimity between the parties on the timing and format of the investigation.
- NACCC, the Safeguarding Trustee and Coordinator who is responsible for Safeguarding should be involved wherever appropriate.
- The DO shall request internal or external advice whenever s/he feels it would be helpful.
- Information relating to the investigation will be handled discreetly by all parties.
- The DO and Panel's report will record their conclusions on the merits of the concern as originally expressed, their recommendations on what actions BCCC should take, a list of any changes that BCCC should make to its policies, procedures, guidelines or training.

A copy of the report shall be given to the person who initiated the investigation by registering a concern about the functioning of BCCC and to BCCC's presenting officer. A copy shall be given to the trustees and may be presented verbally to the trustees by the Deciding Officer, either at their request or by the DO's.

How the matter can be taken further:

If the issue has not been dealt with in a manner that is satisfactory to the volunteer, member, parent/carer or whoever may have raised the matter, they can contact NACCC or Children's Services directly as follows:

National Association of Child Contact Centres (NACCC)
Telephone: 0845 4500 280
contact@naccc.org.uk
www.naccc.org.uk

Birmingham City Children's Services Department
Telephone: 0121 303 1888

www.birminghamchildrenstrust.co.uk

(n.b. not an encrypted secure email address, therefore personal data should not be shared)

Out of Hours Emergencies Telephone: 0121 675 4806

**If you think a child is in immediate danger dial:
0121 675 4806 (Birmingham City Children's Services Dept) straightaway or call
the Police on 999**