# ONE BIG HAPPY SAFEGUARDING CHILDREN AND ADULT POLICY

# Introduction:

One Big Happy (OBH) works mainly with parents but will also come into contact with children/young adults (Those under the age of 18) as part of this work.

OBH approach to safeguarding is based on the existing conventions and treaties addressing individual rights, the key ones in terms of this policy are:

UN Convention on the rights of the child 1992 and the Human Rights Act 1998

## OBH commitment to safeguarding:

## We believe that:

• children and young people or adults should never experience abuse of any kind

• we have a responsibility to promote the welfare of all children , young people and adults, to keep them safe and to practise in a way that protects them.

## We recognise that:

• the welfare of the child is paramount

• all children, regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation have a right to equal protection from all types of harm or abuse

• some children are additionally vulnerable because of the impact of previous experiences, their level of dependency, communication needs or other issues

• working in partnership with children, young people, their parents, carers and other agencies is essential in promoting young people’s welfare.

## We will seek to keep children, young people and adults safe by:

• valuing, listening to and respecting them

• appointing a nominated safeguarding lead, a deputy safeguarding lead and a lead trustee/board member for safeguarding

• developing child protection and safeguarding policies and procedures which reflect best practice

• using our safeguarding procedures to share concerns and relevant information with agencies who need to know, and involving children, young people, parents, families and carers appropriately

• developing and implementing an effective online safety policy and related procedures

• sharing information about child protection and safeguarding best practice with children, their families, staff and volunteers via leaflets, posters, group work and one-to-one discussions

• recruiting staff and volunteers safely, ensuring all necessary checks are made

• providing effective management for staff and volunteers through supervision, support, training and quality assurance measures

• implementing a code of conduct for staff and volunteers

• using our procedures to manage any allegations against staff and volunteers appropriately

• ensuring that we have effective complaints and whistleblowing measures in place

• ensuring that we provide a safe physical environment for our children, young people, staff and volunteers, by applying health and safety measures in accordance with the law and regulatory guidance

• recording and storing information professionally and securely.

## Purpose:

* to protect young people who are involved in projects designed by One Big Happy’s services.
* to protect the children of adults who use our services
* to provide parents, staff and volunteers with the overarching principles that guide our approach to safeguarding.

This policy sets out what the individual and collective responsibilities are for OBH staff to ensure they understand what is expected of them and importantly how to respond to any safeguarding issue that arises in the course of the OBH carrying out its functions and activities with users. (see roles and responsibilities table below).

## Scope:

This policy is aimed at all staff employed, commissioned or recruited for volunteer purposes by OBH and sets out how the organisation will safeguard children or adults from abuse or neglect. This policy draws on UK legislation and guidance and international conventions and treaties the UK is party to.

# Links to relevant OBH policies National guidance and legislation:

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## OBH Internal policies:

This policy statement should be read alongside our organisational policies and procedures, including:

• Procedures for responding to concerns about a child or young person’s wellbeing

• Dealing with allegations of abuse against a child or young person

• Role of the designated safeguarding officer

• Managing allegations against staff and volunteers

• Safer recruitment policy and procedures

• Code of conduct for staff and volunteers

• Online safety policy and procedures for responding to concerns about online abuse

• Photography and image sharing guidance

• Child protection records retention and storage policy

• Whistleblowing policy

## Legislation:

* The Children Act 1989
* The Children Act 2004
* The Care Act 2014

## Guidance:

* Working Together to safeguarding children 2018: A guide to inter-agency working to safeguard and promote the welfare of children
* Care and Support Statutory Guidance Issued under the Care Act 2014

## External:

This policy this policy is written with reference to the following local safeguarding policies and procedures produced by The Devon Children and Families Partnership (children) in line with the South West Child Protection Procedures

<https://www.proceduresonline.com/swcpp/>

and Devon Safeguarding Adults Board Multi-Agency safeguarding adult procedures and guidance.

[Devon Safeguarding Adults Board Procedures and guidance](https://devoncc.sharepoint.com/sites/PublicDocs/AdultSocialCare/DevonSafeguardingAdultsBoard/Forms/AllItems.aspx?id=%2Fsites%2FPublicDocs%2FAdultSocialCare%2FDevonSafeguardingAdultsBoard%2FDSAB%20Multi-Agency%20Procedures%20and%20Guidance%20document%20%2Epdf&parent=%2Fsites%2FPublicDocs%2FAdultSocialCare%2FDevonSafeguardingAdultsBoard&p=true&slrid=2032b89e-c0a9-8000-d050-73a6397ff2c2)

# Roles and responsibilities

## Key Roles and Responsibilities for ALL staff within OBH

|  |  |
| --- | --- |
| CEO/ lead trustee/board member for safeguarding | Responsible for ensuring that the OBH contribution to safeguarding and promoting the welfare of children od adults is discharged effectively across the whole organisation |
| Nominated Safeguarding lead: | Ensure this policy is kept up-to-date with respect to all safeguarding legislation and guidance.  Ensures all staff/Volunteers are aware of this guidance and their responsibilities within in it.  Ensure all staff/Volunteers are trained and supported to undertake their safeguarding responsibilities commensurate to role |
| Deputy safeguarding lead: | Provide expert advice on the safeguarding practice and safeguarding arrangements of OBH |
| All staff; this includes paid staff, volunteers, sessional workers | • Ensure all safeguarding children and adults principles are imbedded within their daily activities  • Understand the indicators of child and adult abuse and neglect  • Know how to raise a safeguarding concern within OBH and when and how to share this information with the local authority as a safeguarding referral.  • Attend relevant training and to maintain appropriate knowledge and skills in identification and responding to concerns of abuse against children or adults  • Act in a timely manner on any concern or suspicion that a child or an adult is being or is at risk of being abused, neglected or exploited and ensure that the situation is reported to the relevant authorities |

## Training:

All staff will receive safeguarding children and adults training commensurate to their role, OBH will access training unsighted following guidance to set the level of safeguarding training required[[1]](#footnote-1):

1. [Adult Safeguarding: Roles and Competencies for Health Care Staff](https://www.rcn.org.uk/professional-development/publications/pub-007069)

[First edition: August 2018](https://www.rcn.org.uk/professional-development/publications/pub-007069)

[Safeguarding children and young people: roles and competences for health care staff INTERCOLLEGIATE DOCUMENT Third edition: March 2014](https://www.rcpch.ac.uk/sites/default/files/Safeguarding_Children_-_Roles_and_Competences_for_Healthcare_Staff._Third_Edition_March_2014.pdf)

# Equality statement

Our organisation works to ensure that all children and young people have the same protection regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation. We are committed to anti-discriminatory practice and recognise the additional needs of children from minority ethnic groups and disabled children and the barriers they may face, especially around communication.

# Safeguarding Definitions and Principles:

## Children

Under the Children Act (1989, 2004) a child is anyone who has not yet reached his or her 18th birthday.

‘Safeguarding’ refers to a broad responsibility to promote and protect the wellbeing of all children, ‘child protection‘ refers to a set of arrangements for any particular child or children who have been deemed to be at risk of ‘significant harm’ under the children Act 1989. ‘ Child abuse and neglect’ refers to what happens to the child or children in question at the hands of their parents, carers or others known or unknown to the child.

The Children Act (1989, 2004) states that “the welfare of the child is paramount”. All those in contact with children, young people or their families have therefore have an overriding “ duty to protect from harm” and promote the welfare of all children through discharging their responsibilities.

## Principles under the children Act 1989

Section 1 of the Children Act (CA) sets out three general principles:

The welfare of the child is paramount;

Delay is likely to prejudice the welfare of the child;

The court shall not make an order unless to do so would be better for the child than making no order (the ‘no order’ principle).

## ‘’Paramountcy Principle"

A child's welfare is paramount when making any decisions about a child's upbringing, known as the "paramountcy principle" . In practice this requires the safety and welfare of the child to be the primary consideration at any stage in the involvement of any services to that child and family not only when the child is being considered by the court.

## Section 47 Children Act 1989 – Duty to Investigate

Under this section there is a duty to investigate when a local authority—

1. are informed that a child who lives, or is found, in their area—

(i) is the subject of an emergency protection order; or

(ii) is in police protection;

(b) have reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm,

The authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child’s welfare.

OBH have a duty to refer any safeguarding concern they may have regarding a child they are or have been working with to the local authority, and subsequently cooperate with any investigation conducted by the local authority in respect of their involvement.

(Children Act 1989 s.47 (subsection 1)

While the Act does not define ‘significant harm’ it defines harm;

“harm” means ill-treatment or the impairment of health or development including, for example, impairment suffered from seeing or hearing the ill-treatment of another;

“development” means physical, intellectual, emotional, social or behavioural development;

“health” means physical or mental health; and

“ill-treatment” includes sexual abuse and forms of ill-treatment which are not physical.

## Categories of child abuse:

Under Working Together 2018 guidance there are four categories of abuse:

|  |  |
| --- | --- |
| Physical abuse | A form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child. |
| Emotional abuse | The persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child’s emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meets the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child’s developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone |
| Sexual abuse | Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. |
| Neglect | The persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:  a. provide adequate food, clothing and shelter (including exclusion from home or abandonment)  b. protect a child from physical and emotional harm or danger  c. ensure adequate supervision (including the use of inadequate care-givers)  d. ensure access to appropriate medical care or treatment  It may also include neglect of, or unresponsiveness to, a child’s basic emotional needs. |

## Adults:

The Care Act 2014 places a duty on agencies to report a safeguarding concern with respect to an adult at risk of abuse or neglect and to co-operate with any inquiries made by the local authority under S.42 of the Act

The Care Act introduced six guiding principles that underpin adult safeguarding:

1. Empowerment – Personalisation and the presumption of person-led decisions and informed consent.

2. Prevention – It is better to take action before harm occurs

3. Proportionality – Proportionate and least intrusive response appropriate to the risk presented.

4. Protection – Support and representation for those in greatest need.

5. Partnership – Local solutions through services working with their communities.

6. Accountability – Accountability and transparency in delivering safeguarding.

OBH have a duty to promote these principles through discharging its activities if a safeguarding concern presents.

## Definition of Adult Abuse

“Any act or failure to act, which results in a significant breach of a vulnerable person’s human rights, civil liberties, bodily integrity, dignity or general well-being, whether intended or inadvertent, including sexual relationships or financial transactions to which a person has not or cannot validly consent or which are deliberately exploitative”

## Categories of Adult Abuse:

|  |  |
| --- | --- |
| Physical abuse | including hitting, slapping, pushing, kicking, misuse of medication, inappropriate restraint, or inappropriate sanctions; |
| Sexual abuse | including rape and sexual assault, contact or non-contact sexual acts to which the adult at risk has not consented, or could not consent or was pressurised into consenting; indecent exposure sexual teasing or innuendo subjection to pornography or witnessing sexual acts |
| Psychological abuse | including emotional abuse, threats of harm or abandonment, deprivation of contact or communication, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks; |
| Financial or material abuse | including theft, fraud, exploitation, pressure in connection with Wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits, on-line fraud or theft; |
| Neglect or acts of omission | including ignoring medical or emotional/physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating; failure to report abuse or risk of abuse; Self-neglect |
| Discriminatory abuse | including that based on a person’s ethnic origin, religion, language, age, sexuality, gender, disability, and other forms of harassment, slurs or similar treatment |
| Organisational abuse | including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one’s own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation |
| Domestic Abuse | As defined by the home office. Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16\* or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse: psychological, physical, sexual, financial and emotional |
| Modern Slavery | encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment |

## S. 42 Enquiry by local authority

(1) This section applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there) —

(a)has needs for care and support (whether or not the authority is meeting any of those needs),

(b) is experiencing, or is at risk of, abuse or neglect, and

(c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

(2) The local authority must make (or cause to be made) whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult’s case (whether under this Part or otherwise) and, if so, what and by whom.

(3)“Abuse” includes financial abuse; and for that purpose “financial abuse”

includes —

(a)having money or other property stolen,

(b)being defrauded,

(c)being put under pressure in relation to money or other property, and

(d)having money or other property misused.

## What to do if you are faced with either a safeguarding child or adult concern:

## Disclosure of abuse:

When a child, young person or adult disclose abuse, member of staff may be the first and/or possibly the only person with whom the person has disclosed to the abuse to. If this is the case the response given to the person is crucial.

Advice for staff is as follows;

* Remain calm and reassure the person

Listen to them, showing that you are taking them seriously

* Keep questions to a minimum and do not present any leading questioning so that there is a clear and accurate understanding of what is being said
* Any discussion around the disclosure must be conducted at the person’s pace and level of understanding
* Facts may need to be confirmed but the person should not be “cross-examined”
* Record factual and accurate notes, not excessive and include all decisions and actions carried out
* Follow the Safeguarding process in place for raising a safeguarding concern (flowchart 1.below)

## Raising a safeguarding concern

Flowchart 1.

Abuse is suspected or a disclosure is made

YES

NO

Is the Child/Adult at risk in immediate harm?

Raise with OBH Safeguarding lead

Contact emergency services: 999

Has the concern met the threshold for a safeguarding referral for either a child or an adult?

**Referring a child:**

Refer to Devon MASH via the following link;

<https://devoncc.sharepoint.com/:w:/r/sites/PublicDocs/Education/_layouts/15/Doc.aspx?sourcedoc=%7B9235283e-ed03-44cd-8cf0-6ec316421cec%7D&action=default>

**Referring an adult:**

Follow the procedure in the following link;

<https://devoncc.sharepoint.com/:w:/r/sites/PublicDocs/AdultSocialCare/_layouts/15/Doc.aspx?sourcedoc=%7Bb476e0bb-2101-4b4c-b589-fcf47a324bbc%7D&action=default>

# Early Help

When a child/young person/family needs something extra, Early Help is the initial response offered by all services in contact with children, young people and families. This builds an understanding to address extra needs and prevent situations from getting more difficult for children and young people.  The aim of Early Help is to build on people’s capacity and resources to manage their own dilemmas, resolve their own difficulties and prevent further problems in the future. **Early Help is not a designated team it is the way that EVERYONE works together to support the needs of families.**

See <https://www.devonchildrenandfamiliespartnership.org.uk/early-help/>

## Allegations made against OBH staff:

Concern may also be raised if the staff member is behaving in a way which demonstrates unsuitability for working with children, young people or adults at risk, in their present position, or in any capacity. The allegation or issue may arise either in the employee’s/professional’s work or private life. Examples include:

• Commitment of a criminal offence against or related to children, young people or adults at risk.

• Failing to work collaboratively with social care agencies when issues about care of children, young people or adults at risk for whom they have caring responsibilities are being investigated.

• Behaving towards children, young people or adults at risk, in a manner that indicates they are unsuitable to work with children, young people or adults at risk of harm or abuse.

• Where an allegation or concern arises about a member of staff, arising from their private life such as perpetration of domestic violence or where inadequate steps have been taken to protect vulnerable individuals from the impact of violence or abuse.

• Where an allegation of abuse is made against someone closely associated with a member of staff such as a partner, member of the family or other household member.

The scope of allegations covers allegations made against staff in the course of discharging their OBH roles and responsibilities and outside of this, including their private life and family home or working as a volunteer elsewhere.

## Managing Allegations about OBH staff – immediate actions

There are three strands in consideration of an allegation:

• Enquiries and assessment by children/adult Social Care, about whether a child/young person/ adult at risk of harm or abuse, is in need of protection or in need of services.

• A police investigation of a possible criminal offence.

• Consideration of disciplinary action (including suspension) by OBH executive.

The safety of the child, young person or an adult at risk is of paramount importance. Immediate action may be required to safeguard any other children, young people or adults at risk. Any concern that children, young people or adults may be at risk of harm or abuse, must immediately be reported.

All staff must be familiar with referral procedures to protect an adult/child at risk (see section ‘How to respond to a safeguarding concern’) and the process to follow regarding each allegation below.

Devon Children and Families Partnership /LSAB processes can be found at following links:

**Children**

<https://www.proceduresonline.com/swcpp/devon/p_alleg_against_staff.html>

**Adults**

For allegations made by or on behalf of an adult at risk; a safeguarding alert should be made to the local authority safeguarding adult team

[Devon Safeguarding Adults Board Procedures and guidance](https://devoncc.sharepoint.com/sites/PublicDocs/AdultSocialCare/DevonSafeguardingAdultsBoard/Forms/AllItems.aspx?id=%2Fsites%2FPublicDocs%2FAdultSocialCare%2FDevonSafeguardingAdultsBoard%2FDSAB%20Multi-Agency%20Procedures%20and%20Guidance%20document%20%2Epdf&parent=%2Fsites%2FPublicDocs%2FAdultSocialCare%2FDevonSafeguardingAdultsBoard&p=true&slrid=2032b89e-c0a9-8000-d050-73a6397ff2c2)

The allegations manager for OBH must be included in any decisions made and actions taken. Any allegations made against a member of staff must be reported to the Local Authority Designated Officer (LADO) children and a safeguarding adult alert made if for an adult.

See flowchart on page below.

Allegation received

The allegation is initially discussed with the Line manager, Charlotte Hill in OBH. The LADO/ Local Authority Safeguarding Adult team may also be involved at this stage if appropriate.

Child/young person / adult considered to be at risk of **significant harm.**

Child/young person / adult considered **NOT** to be at risk of **significant harm but further investigation required.**

If no case exists dismiss allegation. Consider staff member support and reintegration into work. Occupational Health support if needed. **No further action required.**

Referral to Police, Social Care team and LADO by Nominated Safeguarding Senior Officer. Consider Professional Regulatory Body and complete DBS referral (If staff member is a registered professional)

Case managed via the Local Authority safeguarding procedures

Police investigation

(NB: This may be ongoing long term)

Managed through OBH management structure and HR disciplinary procedures

**Safer Recruitment**:

OBH is committed to ensure it follows local safeguarding procedures with regard to the safe recruitment of its staff or volunteers;

We recognise all organisations engaging people in ‘Regulated Activities‘ must have robust and transparent recruitment procedures in place to ensure children, young people and vulnerable adults are safeguarded and they should be familiar with the local safeguarding policies and procedures e.g. South West Child Protection Procedures website (SWCPP).

Before recruiting staff and volunteers (whether paid or unpaid), OBH will always ensure that the following must be considered:

* OBH application process includes the organisation’s commitment to safeguarding in for example detailed within the Job Description and any other documentation related to the individual’s role and responsibilities.
* OBH will make thorough checks of an applicant’s identity, work history and references including any gaps in employment/time;
* OBH will seek proof of qualifications held by the individual
* OBH will make checks with the Disclosure and Barring Service including checks against the DBS Barred Lists to ensure no barring restrictions are in place.
* OBH will operate a probationary period and supervision of the staff and volunteers we employ;
* OBH will obtain references which will be further verified by telephone
* OBH will ensure that at least one of the interview panel has undergone recent ‘safer recruitment training’
* OBH will ask candidates to consider if any employed or social activity in person or on line they are engaged in would bring the reputation of a charity working with families into disrepute.

**Whistle Blowing:**

OBH is committed to the highest standards of transparency, probity, integrity and accountability.

This section is intended to provide a means of making serious allegations about standards, conduct, financial irregularity or possible unlawful action in a way that will ensure confidentiality and protect those making such allegations in the reasonable belief that it is in the public interest to do so from being victimised, discriminated against or disadvantaged.

This section ensures that the OBH complies with its duty under the Public Interest Disclosure Act 1998.

If an employee has a concern about the conduct of a fellow employee in the working environment (e.g. that they are not treating colleagues with respect) they should raise these with their line manager, or if that is not possible, with the CEO, Treasurer of Trustees or through the Charity Commission’s whistle blowing policy

[whistleblowing@charitycommission.gsi.gov.uk](mailto:whistleblowing@charitycommission.gsi.gov.uk)

Or via The NSPCC Whistleblowing Advice Line can be reached on **0800 028 0285**.

This section applies to, but is not limited to, allegations about any of the following:

• Conduct which is an offence or breach of the law

• Alleged miscarriage of justice

• Serious Health and Safety risks

• The unauthorised use of public funds

• Possible fraud and corruption

• Sexual, physical or verbal abuse, or bullying or intimidation of employees, customers or service users

• Abuse of authority

• Other unethical conduct

• Any behaviour done knowingly to offend or harm another person

**Reporting**

Contact Details for Reporting: (in writing) charlotteobh@gmail.com

OBH recognises that the decision to make an allegation can be a difficult one to make. However, whistleblowers who make serious allegations in the reasonable belief that it is in the public interest to do so have nothing to fear because they are doing their duty either to the OBH and/or to those for whom OBH are providing a service.

OBH will take appropriate action to protect a whistleblower who makes a serious allegation in the reasonable belief that it is in the public interest to do so from any reprisals, harassment or victimisation.

**Confidentiality**

All allegations will be treated in confidence and every effort will be made not to reveal a whistleblower’s identity unless the whistleblower otherwise requests. However, if the matter is subsequently dealt with through other XXX procedures such as the Disciplinary Procedure.

Similarly, if the allegation results in court proceedings then the whistleblower may have to give evidence in open court if the case is to be successful.

OBH will not, without the whistleblower’s consent, disclose the identity of a whistleblower to anyone other than a person involved in the investigation/allegation.

Where the nature of the allegation impacts on the safety of service users or other members of the public OBH will comply with all investigative processes related to safeguarding children or adults including information sharing.

**Anonymous Allegations**

This procedure encourages whistleblowers to put their name to an allegation wherever possible as anonymous allegations may often be difficult to substantiate/prove. Allegations made anonymously are much less powerful but anonymous allegations will be considered at the discretion of the CEO/Treasurer Trustee.

In exercising discretion to accept an anonymous allegation the factors to be taken into account:

• The seriousness of the issue raised

• The credibility of the allegation; and

• Whether the allegation can realistically be investigated from factors or sources other than the complainant

**Untrue Allegations**

No disciplinary or other action will be taken against a whistleblower who makes an allegation in the reasonable belief that it is in the public interest to do so even if the allegation is not substantiated by an investigation. However, disciplinary action may be taken against a whistleblower who makes an allegation without reasonable belief that it is in the public interest to do so (e.g. making an allegation frivolously, maliciously or for personal gain where there is no element of public interest).

Procedure for Making an Allegation

It is preferable for allegations to be made to an employee’s immediate manager to whom they report.

However, this may depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if the whistleblower believes that management is involved it would be inappropriate to raise it directly with them.

The whistleblower may then make an allegation direct to any of the following:

• The CEO

• Treasurer Trustee

If either of the above receive an allegation he/she will consider the allegation and may discuss with either the CEO or other Trustees. The line manager (or either/or both) of the above, after consideration, will discuss with the whistleblower and if they wish to proceed with the allegation will be investigated.

**Allegation**

Whether a written or oral report is made it is important that relevant information is provided including:

• The name of the person making the allegation and a contact point.

• The background and history of the allegation (giving relevant dates and names and positions of those who may be in a position to have contributed to the allegation);

• The specific reason for the allegation.

Although someone making an allegation will not be expected to prove the truth of any allegations, they will need to provide information to the person they have reported to, to establish that that there are reasonable grounds for the allegation.

Someone making an allegation may be accompanied by another person of their choosing during any meetings or interviews in connection with the allegation. However, if the matter is subsequently dealt with through another procedure the right to be accompanied will at that stage be in accordance with the relevant procedure.

**Action on receipt of an Allegation**

The line manager will record details of the allegation gathering as much information as possible, (within 5 working days of receipt of the allegation) including:

• The record of the allegation:

• The acknowledgement of the allegation;

• Any documents supplied by the whistleblower

The investigator will ask the whistleblower for his/her preferred means of communication and contact details and use these for all communications with the whistleblower in order to preserve confidentiality.

If the allegation relates to fraud, potential fraud or other financial irregularity the Treasurer will be informed within 5 working days of receipt of the allegation. The Treasurer will determine whether the allegation should be investigated and the method of investigation.

If the allegation discloses evidence of a criminal offence it will immediately be reported to the Board of Trustees and a decision will be made as to whether to inform the Police. If the allegation concerns suspected harm to children or adults the appropriate authorities will be informed immediately following the reporting a concern section of this policy.

**Timetable**

* An acknowledge the allegation in writing within10 working days with
* An indication of how OBH propose to deal with the matter
* An estimate of how long it will take to provide a final response
* An indication of whether any initial enquiries have been made
* Information on whistleblower support mechanisms
* Indication whether further investigations will take place and if not, why not

Where the allegation has been made internally and anonymously, obviously OBH will be unable to communicate what action has been taken.

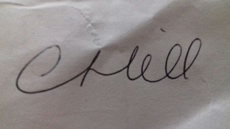
**Support**

OBH will take steps to minimise any difficulties which may be experienced as a result of making an allegation. For instance, if a whistleblower is required to give evidence in criminal or disciplinary proceedings OBH will arrange for them to receive advice about the procedure and advise on the support mechanisms that are available.

OBH accepts that whistleblowers need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform those making allegations of the outcome of any investigation.

Contact details Nominated child protection lead: Charlotte Hill, charlotteobh@gmail.com

Deputy child protection lead: Kathryn Ronconi katerw123@icloud.com

We are committed to reviewing our policy and good practice annually. This policy was last reviewed on: 5th January 2020 Signed: …………………………………………………………………………

1. Our staff are not necessarily clinicians or registered professionals, however these intercollegiate guidance’s do detail the level of training required in respect of the contact with children or adults and will act as ou main frame of reference. [↑](#footnote-ref-1)