

Whistle Blowing Policy

What is Whistle Blowing?

Whistle blowing is the term used when someone who works in or for an organisation wishes to raise concerns about malpractice in the organisation (for example, crimes, civil offences, miscarriages of justice, dangers to health and safety or the environment), and the cover up of any of these. In the case of local authority safeguarding services, this is likely to be about a dangerous or illegal activity, or widespread or systemic failure in relation to children and young people and/or the services they receive.

Whistle blowing is very different from a complaint or a grievance. It only applies when you have no vested interest and you are acting as a witness to misconduct or malpractice that you have observed.

Whistle blowing encourages and enables employees to raise serious concerns within the Preschool rather than overlooking a problem or “blowing the whistle” outside. Employees are often the first to realise that there is something seriously wrong. However, they may not express their concerns as they feel that speaking up would be disloyal to their colleagues or to the preschool.

Our Commitment

The preschool is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, students, agency staff and all other individuals that we deal with, who have serious concerns about any aspect of the nurseries work, to come forward and voice those concerns.

1. PREAMBLE

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

1.2 The preschool is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with who have genuine concerns about any aspect of the preschools work or person linked to the preschool/and or others (e.g. Parents/ Carers) to come forward and voice those concerns.

1.3 It is recognised that most cases will have to proceed on a confidential basis.

1.4 The policy document makes it clear that you can do so without fear or reprisals, subsequent discrimination or disadvantage. This whistle blowing policy is intended to encourage and enable employees and others to raise serious concerns within the nursery rather than overlooking a problem or blowing the whistle outside.

1.5 The policy applies to all employees and those contractors working for the preschool on preschool premises. For example, agency staff, builders, maintenance workers.

1.6 The procedure allows, employees, parents/carers and outside agencies to raise concerns about the management /staff of Playways Preschool

1.7 These procedures are in addition to the preschool complaints’ procedures and other statutory

reporting procedures. We are responsible for making service users aware of the existence of these procedures.

2. AIMS AND SCOPE OF THE POLICY

This policy aims to:

- Encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice.
- Provide avenues for you to raise any concerns and receive feedback on any action taken;
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied;
- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

2.2 There are existing procedures in place to enable you to lodge a grievance relating to staff's own employment, parent/carer concerns or complaints, and issues raised by outside agencies. The whistle-blowing policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- * Conduct which is an offence or a breach of law;
- * Disclosures related to miscarriages of justice;
- * Health and safety risks, including risks to the public as well as other employees, parents/carers, children and others;
- * Damage to the environment;
- * Possible fraud and corruption;
- * Safeguarding/child protection concern involving children in the care of our nursery;
- * Other unethical conduct;
- * Employee conducts which fails to safeguard the well-being of children and young people;
- * Amounts of improper conduct;
- * Falls below established standards of practice;
- * Concerns against the policies and procedures of Playways Preschool.

This policy does not replace the preschools complaints procedure

3. SAFEGUARDS 3.1 HARASSMENT or VICTIMISATION

3.1.1 The preschool is committed to good practice and high standards and wants to be supportive of employees and others who have a genuine concern.

3.1.2 The statutory guidance Working together to safeguard children, places emphasis on supporting employees to voice their concerns in a safe forum and the legal obligation this has on early year settings.

3.1.3 The preschool recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

3.1.4 The preschool will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.

3.1.5 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

4. CONFIDENTIALITY

4.1 Playways Preschool will do its best to protect your identity when you raise a concern. 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 form you may be required as part of evidence.

5. ANONYMOUS ALLEGATIONS

5.1 This policy encourages you to put your name to your allegation whenever possible.

5.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the preschool and in conjunction with the relevant agencies where appropriate.

5.3 In exercising this discretion the factors to be taken into account would include:

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

6. UNTRUE ALLEGATIONS

6.1 If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you in accordance with Playways Preschool procedures.

7. HOW TO RAISE A CONCERN

7.1 As a first step, you should normally raise concerns with your immediate supervisor. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that the supervisor is involved you should approach either the assistant manager or the manager. If you feel unable to do this then you should raise your concern with Ofsted. Ofsted have a whistle blowing hotline 03001233155 or you can email whistleblowing@ofsted.gov.uk or write to WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD.

7.2 If you are worried at any stage about how to raise a concern, you should always seek independent advice at the earliest opportunity. This may be to check who may be best placed to deal with your concern or simply to talk the matter through in confidence first and discuss how to raise your concern. You can do this through the NSPCC Whistle Blowing Advice Line 0800 028 0285.

7.3 Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- The background and history of the concern (giving relevant dates);
- The reason why you are particularly concerned about the situation.

7.4 The earlier you express the concern the easier it is to take action.

7.5 Although you are not expected to prove beyond doubt the truth of an allegation, you will demonstrate to the person contacted that there are reasonable grounds for your concern.

7.6 Obtain advice/guidance on how to pursue matters of concern by telephoning the Local Safeguarding Council Board on 0121 675 1669 or Ofsted on 0300 123 1231.

7.7 You may wish to consider discussing your concern with a trusted colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

7.8 You may invite a professional association representative to be present during any meetings or interviews in connection with the concerns you have raised.

7.9 If you have raised your concern internally but feel it has not been properly addressed, or if you feel unable to raise your concern at any level within your organisation, you may feel that you need to raise your concern outside your place of work. It is advisable, in terms of both addressing the concern and securing your own protection as a whistle-blower, to raise this first with the body that has some oversight of the work of your employer. This may be a governing body, the local authority, a funding agency or a national regulator. If your concern is about an immediate or current risk to an individual child or children, it is important that you follow child protection procedures.

7.10 With specific regard to safeguarding issues, that may involve a member of staff, you should initially consult with a member of the management team. If you suspect they Or the owner may be related to the issue you should contact MASH or Lado – Lisa Kennedy 01708 431653.

8. HOW THE PRESCHOOL WILL RESPOND

8.1 The nursery will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

8.2 Where appropriate, the matters raised may;

- Be investigated by management or through the disciplinary process
- Be referred to the police
- Form the subject of an independent inquiry

8.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the preschool will have in mind is the child/public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

8.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

8.5 Within 10 working days of concern being raised, the responsible person will write to you.

- Acknowledging that the concern has been received
- Indicating how we propose to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Telling you whether any initial enquiries have been made
- Supplying you with information on staff support mechanisms, and
- Telling you whether further investigations will take place and if not, why not.

8.6 The amount of contact between the management considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, the preschool will seek further information from you.

8.7 Where any meeting is arranged, off site if you so wish, you can be accompanied by a professional association.

8.8 The preschool will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the preschool will arrange for you to receive advice about the procedure.

8.9 The preschool accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

9. THE RESPONSIBLE OFFICER

9.1 Susan Benjamin has overall responsibility for the maintenance and operation of this policy. She will maintain a record of concerns raised and the outcome (but in a form which does not endanger your confidentiality).

9.2 Ofsted will be informed of action taken and the nature of any complaints received

10. HOW THE MATTER CAN BE TAKEN FURTHER

10.1 This policy is intended to provide you with an avenue within the nursery to raise concerns. The preschool hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter further, outside of the preschool, the following are possible contact points:

- your local Citizens Advice Bureau
- relevant professional bodies or regulatory organisations, such as OFSTED
- a relevant voluntary organisation/charity such as NSPCC

- the police

If you take the matter outside the preschool, you should ensure that you do not disclose confidential information. Check with the contact point about that.