



## **Whistleblowing Policy**

Date: 04/05/2021

Review Date: 04/05/2022

**Manager – Nicola Setford**

**Deputy Manager – Julie O'Neill**

**Designated Safeguarding Lead – Julie O'Neill**

**Deputy Safeguarding Leads – Rachel French / Nicola Setford**

**Data Controller – Nicola Setford**

The Whistleblowing procedure aims to help and protect both staff and children. By following the procedure you are acting to:

- Prevent a problem getting worse;
- Safeguard children and young people;
- Reduce the potential risks to others.

The earlier you raise a concern, the easier and sooner it is possible for the setting to take action.

**Throughout this policy the term 'staff' includes paid staff, volunteers and students.**

### **Introduction**

Pippins Preschool (Leybourne Chase Pre-School Ltd) is committed to the highest possible standards and recognises that its staff, students and volunteers are often the first to realise that there may be something wrong within the setting. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or they may 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.

The Public Interest Disclosure Act 1998 protects workers who raise concerns from victimisation or harassment. In accordance with that Act and its commitment to the highest standards of service delivery, the setting actively encourages its workers with concerns about any aspect of the setting's practice or any adult's, volunteer's or student's conduct to come forward and voice those concerns, in confidence, within the setting rather than overlooking a problem.

### **Objective**

The aim of this policy and associated procedures is to establish an internal procedure that will encourage and enable staff, students and volunteers to raise concerns about any aspect of the setting's practice, (which do not meet the criteria for being dealt with as a complaint or grievance), in confidence and without fear of reprisals, to ensure that the setting continues to work within best practice and safeguard children and young people.

## **Scope**

Concerns that should be raised via the whistleblowing policy may be in relation to the actions/behaviours of other staff, students or volunteers, or about something that is perceived as:

- Unlawful;
- Failing to comply with the setting's policy and procedures;
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject (e.g. EYFS);
- That a criminal offence has been committed or is being committed or is likely to be committed;
- That the health or safety of any individual has been, is being, or is likely to be, endangered;
- That the environment, has been, is being, or is likely to be, damaged;
- Poor practice;
- Improper conduct;
- That information tending to show any of the above, is being, or is likely to be, deliberately concealed;
- That you challenge discriminatory behaviour and report any incidents.

## **Principles**

This policy is based on the following fundamental principles:

- All staff, students and volunteers have the right to raise concerns about perceived unacceptable practice or behaviour;
- The responsibility for expressing concerns about unacceptable practice or behaviour rests with all staff, students and volunteers;
- The setting will not tolerate harassment or victimisation and will take action to protect workers when they raise a concern in good faith;
- The setting will do its best to protect a whistleblower's identity when he/she raises a concern and does not want his/her name to be disclosed. However, if the concern raised needs to be addressed through another procedure, e.g. disciplinary procedure, the worker may be required to provide a signed statement as part of the evidence;
- In some circumstances the setting may have to disclose the identity of the worker without his/her consent, although this will be discussed with the worker first;

- Appropriate advice and support will be made available to staff, students and volunteers who raise concerns;
- Those who raise concerns will be kept informed of the progress and outcome of any investigation;
- The setting will not tolerate malicious allegations; these may be considered as a disciplinary offence.

### **Procedures**

Procedures for reporting and investigating 'whistleblowing' concerns have been developed to ensure that:

- Staff, students and volunteers can raise concerns (no matter how small they may appear) internally as a matter of course, and receive feedback on any action taken;
- Concerns are taken seriously and dealt with quickly and appropriately;
- Staff and volunteers are reassured that they will be protected from reprisals or victimisation for whistle-blowing in good faith;
- Staff and volunteers can take the matter further if they are dissatisfied with the setting response and seek external advice and guidance;
- Issues raised are addressed via other procedures and policies as appropriate, e.g. safeguarding policy, allegations against staff, grievance, disciplinary, health and safety;
- Appropriate records are maintained for monitoring purposes.

### **Raising a concern**

Staff, students and volunteers should raise concerns with the management and/or the Designated Safeguarding Led or Deputy Safeguarding Leads. Concerns should be raised in writing and include:

- Reference to the fact that it is a whistleblowing disclosure;
- The background and history of the concerns;
- Names, dates and places (where possible);
- The reasons why the individual is concerned about the situation.

Staff who feel unable to put concerns in writing, can telephone or meet either the manager, deputy manager or Designated Safeguarding Lead at any time to discuss their concerns.

Termly supervisions take place for staff. Supervisions are a safe place for staff to raise any concerns that they may have in confidence. During these supervisions, staff are reminded of their duty to safeguard the children, staff, families and our setting. Please see our supervisions policy.

## **Investigation**

The action taken will depend on the nature of the concern. All matters raised, with the exception of allegations of abuse against a staff member, or unlawful activity, will be investigated internally.

The appropriate person/s will investigate the concerns thoroughly, ensuring that a written response can be provided within ten working days.

The response should include details of how the matter was investigated, conclusions drawn from the investigation, and whom to contact should the staff member be unhappy with the response and wish to raise the matter.

If the investigation cannot be completed within the timescale above, the staff member should receive a response that indicates:

- Progress to date;
- How the matter is being dealt with;
- How long it will take to provide a final response.

In order to protect individuals, initial enquiries (usually involving a meeting with the individual raising the concern), will be made to decide whether an investigation is appropriate and if so, what form it should take. Concerns or allegations that raise issues that fall within the scope of other policies/procedures, will be addressed under those procedures.

Some concerns may be resolved at this initial stage simply, by agreed action or an explanation regarding the concern, without the need for further investigation.

If you do not feel that the complaint has been dealt with effectively or you still have concerns, you have a right to refer your concerns to Ofsted. Contact details for Ofsted can be found in the hallway.

## **Allegations of abuse against adults who work or volunteer in the setting**

If an allegation is made against a staff member or volunteer, the Allegations against Staff Policy will be adhered to.