



# HARPOLE PRE-SCHOOL

"Kind Hands, Kind Hearts, Fun Learning"

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## 7.9 Whistleblowing Policy

Harpole Preschool has adopted the Preschool Learning Alliance (PLA) policy Whistleblowing. The PLA ensure that their policies adhere to statutory guidance and legislative procedure and they provide the preschool with any updates. All policies and procedures are ratified by the Preschool Committee members on a rolling programme. The preschool staff, led by Sharon Matthews, ensure that their practice is in line with the policies and procedures outlined in the PLA guidance.

### Policy statement

The whistle blowing procedure aims to help and protect both staff and children. By following the procedure, we aim to:

- prevent a problem getting worse,
- safeguard children and young people, and vulnerable adults
- reduce the potential risks to others.

Throughout this policy we make reference to *students*; for avoidance of doubt students are work placement students and not children within the setting.

Harpole Pre School 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. We recognise that The Public Interest Disclosure Act 1998 protects workers who raise concerns from victimisation or harassment. Therefore, 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, grievance or allegation), in confidence and without fear of reprisals, to ensure that the setting continues to work within best practice and safeguard children, young people and vulnerable adults.

## **Scope**

Concerns that should be raised via the Whistle Blowing 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
- poor practice
- improper conduct.

## **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.
- Our staff, students and volunteers understand that they are responsible in expressing their concerns about unacceptable practice or behaviour, and if an incident occurred they know who to direct their concerns to.
- 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 whistle blower'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. i.e. the worker will be made aware that their name will be made available to relevant parties.
- Appropriate advice and support will be made available to staff, students and volunteers who raise concerns.
- Those who raise concerns about a colleague will be kept informed of the progress and outcome of any investigation where possible.
- The setting will not tolerate malicious allegations; this may be considered as a disciplinary offence.

## **Procedures**

Procedures for reporting and investigating 'whistle blowing' 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 an adult working in a setting, grievance, disciplinary, health and safety.
- Appropriate records are maintained for monitoring purposes.

## **Raising a Concern**

Staff, students and volunteers should raise concerns with the manager or management committee. Concerns should be raised in writing and include:

- reference to the fact that it is a whistle blowing 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 or a member of the management committee (contact telephone numbers are situated on the noticeboard at Pre-School.)

### **Who should you contact?**

You should contact one of the following people in confidence:

*Sharon Matthews Pre-School Manager*

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*Gina Lawrence Business Manager*

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*Sophie Maule Chairperson*

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If our staff felt uncomfortable reporting their Manager or a senior member of staff, to any of the named personnel, they understand that they can go straight to the DO (designated officer) department. (Formally known as LADO)

## **Investigation**

The action taken will depend on the nature of the concern. Other policies may need to be referred to; i.e. the safeguarding policy to ensure we are compliant with current legislation.

Sharon, Gina and Sophie 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 specified ten working days, 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 it is felt that the complaint has not been dealt with effectively or concerns remain, the person reporting an issue has a right to refer their concerns to Ofsted.

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

If an allegation is made against a staff member or volunteer, the following action will be taken (as per the 'Allegations of Abuse against Adults Who Work or Volunteer in a Childcare Setting' flowchart and guidance):

- The setting will ensure the immediate safety of the children.
- The setting will not investigate the issue themselves, but will immediately contact the Early Years Named Senior Officer (if the Early Years Named Senior Officer is not contactable, the Local Authority Designated Officer (LADO) be contacted direct).
- The setting will notify Ofsted of a significant incident.
- The Early Years Named Senior Officer will notify the LADO, who will decide if it could be a child protection concern.
- If the LADO decides that there is a child protection concern, external/internal agencies (e.g. police) will be informed by the LADO and the setting will act upon the advice given to ensure that any investigation is not jeopardised.
- It may be necessary for the employer to suspend the alleged perpetrator. Suspension is a neutral act to allow a thorough and fair investigation.
- If it is agreed that there is not a child protection concern, the setting will investigate further and feedback the outcome of the investigation to the Early Years Named Senior Officer and Ofsted.

### **D.O (Designated Officer) Contact Details:**

Also attached to this policy is the referral form required to refer to the Designated Officer

Designated Officer Administrator - 01604 364031

Designated Officer Andy Smith - 01604 367862

Designated Officer Christine York - 01604 362633