



08 Staff, volunteers and students procedures

08.13 Whistleblowing procedure

It is important to Little Doves Christian Pre-school that any fraud, misconduct or wrongdoing by employees, or people engaged in the organisation's business, is reported and properly dealt with. Therefore, all individuals are encouraged to raise any concerns that they may have about the conduct of others in the early years pre-school or the way in which the early years pre-school is run. The reference to "others," includes staff, parents, other service users, and anyone else who interacts with our service.

Effective and honest communication is recognised to be essential if malpractice is to be effectively dealt with and the organisation's success ensured.

Whistleblowing relates to all those who work with, or within, the early years pre-school, who may from time-to-time think that they need to raise with someone in confidence certain issues relating to the organisation.

Whistleblowing is separate from the grievance procedure. If an individual has a complaint about their own personal circumstances, they should use the normal grievance procedure. If they have a concern about malpractice within the organisation, then they should use the procedure outlined below.

If an individual has any concerns about malpractice with the organisation, then the procedure outlined in this policy is to be used.

If an employee is unsure about whether your concerns are best dealt with under the Whistleblowing Policy and Procedure or Grievance Procedure, please speak to the manager or a trustee.

Principles

In almost all cases, raising issues internally will be the most appropriate course of action for an employee to take. The setting expects an employee to make their best endeavours to raise concerns internally through the management structure to allow the pre-school to address concerns as quickly as possible.

This policy does not introduce a general protection for whistleblowers which applies in all circumstances. It applies when the procedure laid down in this document in disclosing specific categories of malpractice is followed.

All employees and those involved with the early years pre-school should be aware of the importance of preventing and eliminating wrongdoing within the organisation. Illegal, inappropriate or unethical conduct and anything of that nature should be watched out for and reported.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation will be reported back to the employee/individual who raised the matter.

An employee will not be victimised for raising a matter under this procedure. This means that their continued employment and opportunities for future promotion or training will not be prejudiced because they have raised a legitimate concern.

Victimisation of an individual for raising a qualifying disclosure (something that it is in the public interest to disclose) will be a disciplinary offence.

If misconduct is discovered as a result of any investigation under this procedure, the early years setting's disciplinary procedure will be used, in addition to any appropriate external measures.

If a malicious, vexatious or false allegation is made then this will be considered a disciplinary offence and disciplinary action will be taken.

An instruction to cover up wrongdoing is itself a disciplinary offence. If a person expressing a concern is told not to raise or pursue the concern, even by a person in authority such as a manager, the person should not agree to remain silent. In this event they should report the matter to trustee Jenny Walker (email: jennyflower0512@aol.com).

Procedure

By law, there are several issues an employee can whistleblow about. These are called 'qualifying disclosures'.

Qualifying disclosures include:

- a criminal offence has been committed, is being committed or is likely to be committed.
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject.
- a miscarriage of justice has occurred, is occurring or is likely to occur.
- the health and safety of any individual has been, is being or is likely to be endangered.
- the working environment has been, is being or is likely to be damaged, or
- that information tending to show any matter falling within any one of the preceding clauses has been, is being or is likely to be deliberately concealed.
- Any wrongdoing should be watched out for and reported. Wrongdoing could include:
 - abuse of a child or vulnerable person - please also see 06.01 Responding to safeguarding or child protection concerns whistleblowing section on page 7.
 - a child, parent, employee or volunteer being put at risk of harm - please see 06.01 Responding to safeguarding or child protection concerns whistleblowing section on page 7.
 - unsafe working practices.
 - discrimination against a service user, staff member, or person that interacts with the setting.
 - sexual harassment, sexual misconduct, or other unwanted conduct of a sexual nature, or harassment against a staff member, service user, or person that interacts with the setting.
 - a failure to comply with statutory or legal obligations.
 - a criminal offence which has or is about to be committed.
 - the use of unsafe equipment.
 - falsification of financial records.
 - bribery and/or corruption which has taken or is about to take place.
 - covering up wrongdoing or malpractice.

How to raise concerns

Any concerns should be reported to the manager or deputy. If this is not possible, the concerns should be reported to trustee Jenny Walker (email: jennyflower0512@aol.com).

It is important that the following are clearly set out:

- the details of the suspected wrongdoing
- the names of any individuals involved
- what action (if any) the whistleblower is seeking.

Our key commitments under this policy are

- The whistleblower has the right not to be subjected to any harmful or damaging treatment (including being discriminated against, unfairly penalised, disciplined or dismissed) because of raising a whistleblowing concern.
- A whistleblower raising a concern in accordance with this policy, will be treated with respect and provided with adequate support and protection.
- If a whistleblower believes that they have been subjected to detrimental treatment because of raising a whistleblowing concern, then they are asked to raise it under our Grievance Procedure or report the matter to the manager/trustee. This behaviour will not be tolerated and will be treated as a disciplinary offence.
- If Little Doves Christian Pre-school finds that an employee knowingly raised false allegations, this will also be treated as a disciplinary offence and will be dealt with under our disciplinary procedure.

Raising your concerns externally

An employee/individual is encouraged to raise their whistleblowing concerns internally in the first instance. If they feel that appropriate action has not been taken, they can contact the whistleblowing charity Protect for free confidential advice.

If an employee/individual feels unable to share concerns with the pre-school or the pre-school is not addressing concerns that have been raised, then the following channels are open to them:

NSPCC whistleblowing advice line: Staff can call 0800 028 0285 – 08:00 to 20:00, Monday to Friday and 09:00 to 18:00 at weekends. The email address is: help@nspcc.org.uk. Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.

Ofsted provides guidance on how to make complaints about a provider:

<https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure>

Ofsted dedicated Whistleblowing Hotline (0300 1233155) for advice on what steps to follow. It is staffed from 8am to 6pm, Monday to Friday.

General guidance on whistleblowing can be found via: <https://www.gov.uk/whistleblowing>

IF YOU ARE CONCERNED ABOUT A CHILD

If a child is in immediate danger, call 999.

If the child is at immediate risk of significant harm, call the Children and Families Hub on 0345 603 7627 and ask for the 'Priority line' Out of hours: (5.30pm - 9.00am Monday - Thursday, 4.30pm-9.00am - Friday and Bank holidays) Telephone: 0345 606 1212 Email: Emergency.DutyTeamOutOfHours@essex.gov.uk

The Children and Families Hub continue to offer a consultation line for professionals providing advice and guidance. This can be accessed by calling

0345 603 7627 and asking for the 'Consultation Line'

IF YOU ARE CONCERNED ABOUT A MEMBER OF STAFF CONTACT

Essex County Council Children's Safeguarding Service 03330 139 797

LADO 0333 013 9797

Out of hours Social Services 0845 606 1212