

## Safeguarding and Welfare Requirement: Safeguarding & Children's Welfare

The provider must take necessary steps to safeguard and promote children's welfare.



### 1.8 Whistleblowing Policy

#### Policy statement

It is important to Perranporth Pre-school that any fraud, misconduct or wrongdoing by employees, or people engaged in the organisation's business, is reported and properly dealt with. We therefore encourage all individuals to raise any concerns that they may have about the conduct of others in the early years setting or the way in which the early years setting is run.

We recognise that effective and honest communication is 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 organisation, who may from time-to-time think that they need to raise with someone in confidence certain issues relating to Perranporth Pre-school.

This policy

- provides the basis on which employees can raise any such concerns they may have, and receive feedback on action taken;
- allows employees to take the matter further if they are dissatisfied with the preschool's response; and
- gives protection from reprisals or victimisation for 'whistle blowing' in good faith.

*What concerns are covered?*

The procedure is intended to supplement, rather than replace, the existing Complaints, Disciplinary and Grievance Procedures and should not be used inappropriately. Concerns or allegations which fall within the scope of specific procedures, e.g. Child Protection, will normally be referred under its own procedures. This Policy is intended to cover serious concerns that fall outside the scope of other procedures and may relate to something which:

- Is against Financial Regulations and policies
- Falls below established standards of practice or is against the Pre-school's policies
- Amounts to improper conduct, including something that is believed to be:
- Against the law

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- A Health & Safety risk
- Damaging to the environment
- A misuse of money
- Corruption or unethical conduct
- Abuse of clients or service users
- It represents a cover-up of such issues as raised above.

### **Procedures**

#### *Overview:*

- All employees and those involved with the early years setting should be aware of the importance of preventing and eliminating wrongdoing within the organisation. All members of staff should be watchful for illegal, inappropriate or unethical conduct and report anything of that nature that they become aware of to the management team/committee.
- Any matter an individual raise under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation will be reported back to them.
- The 'whistle blower' 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 qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.
- If an individual make a malicious, vexatious or a false allegation then this will be considered to be a disciplinary offence and disciplinary action will be taken against them.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If an individual is told not to raise or pursue any concern, even by a person in authority such as a manager, they should not agree to remain silent. In this event they should report the matter to a more senior manager/the committee.

#### *Safeguards*

Harassment or victimisation Perranporth Pre-school recognises that the decision to report a concern can be difficult to make, not least because of the fear of reprisals from those responsible for the misconduct / malpractice. The Pre-school will not tolerate harassment or victimisation and will take all possible measures to protect employees who raise concerns in good faith.

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### *Confidentiality*

The Pre-school will protect the identity of employees who raise concerns and do not want their identity to be disclosed. It must be appreciated, however, that the investigation may reveal the source of the information, and statements made by the employees who raised the issue may be required as part of the evidence. The Pre-school encourages employees to put their name to allegations made. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the pre-school. In exercising this discretion, the factors to be taken into account will include:

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

### *Who can an employee raise a concern with?*

- The earlier employees express their concern the easier it is to take action.
- As a first step an employee should normally raise concerns with their Manager. If this is not possible, then report concerns to the committee. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the misconduct/malpractice.
- Employee's who feel that they cannot approach management in the Pre-school should approach either:
  - The Early Years Team
  - Ofsted : e-mail [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk) or call 0845 404046
    - Concerns are better raised in writing. This should set out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee is concerned about the situation. An employee who does not feel able to put their concerns in writing can telephone or meet the appropriate officer. Employees may invite their professional association to raise the matter in conjunction with them.

### *How does an employee raise a concern?*

The concern can be shared verbally or put in writing but the employee needs to make sure the person they are talking to is aware they are following the Whistle Blowing Procedure.

### *How will the concern be dealt with?*

The person who receives the initial concern (part of the management team) will make initial enquiries to determine whether the concern raised needs further investigation. Such initial enquiries should be dealt with promptly, thoroughly, impartially and confidentially, in accordance with the Procedure.

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The action taken by the Pre-school will depend on the nature of the concern. The matters may be:

- investigated internally
- referred to the Police;

In order to protect individuals and the Pre-school, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Some concerns may be resolved by agreed action without the need for investigation. Within two weeks of a concern being received, the Chairperson will write to the employee who raised the issue:

- acknowledging that the concern has been raised;
- indicating how it is proposed to deal with the matter;
- where possible, giving an estimate of how long it will take to provide a final response
- inform the employee whether further investigations will take place and if not, why not.

The amount of contact between the investigators considering the issue and the employee who has raised the issue will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the employee.

When any meeting is arranged with the employee, they will be given the right to be accompanied by a representative or fellow worker who is not involved in the area of work to which the concern relates. The Pre-school accepts that employees need to be assured that the matter has been properly addressed. Therefore, subject to legal or contractual constraints, employees will receive information about the outcomes of any investigations.

### *Initial Enquiries*

As part of the initial enquiries the member of the management team may meet with the employee to gather further information or clarify certain details. Employees are expected to co-operate fully with the investigation and disclose all relevant information. The member of the management team will record, in written format, all meetings. If other employees are able/willing to substantiate the concern they should also meet with the member of the management team dealing with the concern. If the management team believe other employees are aware, but don't feel able to come forward, then the management team should approach them and try to persuade them to share their concerns.

### *Possible outcome of initial enquiries*

Depending on the nature of the concern, and the evidence found, possible outcomes include:

- Unable to investigate due to anonymous report and not enough information to proceed

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- If the concern was shared but was inaccurate no further investigation would be carried out
- Where there is believed to be grounds for concern then further investigation will be carried out

### *Further investigations*

Dependant on the nature of the concern e.g. suspected fraud, theft, serious malpractice etc., the management team may investigate further.

Care needs to be taken when carrying out the investigation to:

- Protect the employee(s) concerned
- Avoid alerting anyone about whom a concern has been raised
- Avoid alerting other employees who may then warn the subject of the concern
- Record the information as the record may be used in a formal hearing, if it is a serious complaint
- Keep all records secure and confidential

This policy is intended to provide employees with an avenue to raise relevant concerns within the Pre-school. It is hoped that employees will be satisfied with the action taken as a result. If an employee is not satisfied, and feel it is right to take the matter outside the Pre-school, the following are possible contact points, some or all of which may be appropriate:

- •relevant professional bodies or regulatory organisations;
- the Police;
- the charity Protect (telephone [020 3117 2520](tel:02031172520)), email [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)

If an employee does take the matter outside of the Pre-school, they must make sure that they do not disclose otherwise confidential information.

### *Untrue allegations*

If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the employee. However, if employees make allegations that are intended to be malicious or vexatious, disciplinary action against them is likely.

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*Management of policy*

The committee has overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcomes and will report as necessary to Ofsted.

This policy was adopted at a meeting of	Perranporth Pre-school	(name of provider)
Held on	July 2023	(date)
Date to be reviewed	July 2024	(date)
Signed on behalf of the provider		
Name of signatory	Beatrice Cudmore	
Role of signatory (e.g. chair, director or owner)	Committee Chair	