

1.2c

Maidenbower Pre-School Playgroup

Safeguarding and Welfare Requirement: Child Protection

Providers must have and implement a policy, and procedures, to safeguard children.

Whistleblowing Policy.

Maidenbower Pre-School Playgroup is committed to the highest standards of openness, probity and accountability.

An important aspect of accountability and transparency is a mechanism to enable staff and other members of the playgroup to voice concerns in a responsible and effective manner. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. Nevertheless, where an individual discovers information which they believe shows serious malpractice or wrongdoing within the organisation, then this information should be discussed internally without fear of reprisal.

The Public Interest Disclosure Act, which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employer as a result of publicly disclosing certain serious concerns. Maidenbower Pre-School Playgroup has endorsed the provisions set out below so as to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.

It should be emphasised that this is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the playgroup committee nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. Once the 'whistleblowing' procedures are in place, it is reasonable to expect staff to use them rather than air their complaints outside Maidenbower Pre-School Playgroup

This is designed to enable employees of the playgroup to raise concerns internally and at a high level and to disclose information which the individual believes shows malpractice or impropriety. This is intended to cover concerns which are in the public interest and may at least initially be investigated separately, but might then lead to the invocation of other procedures eg. disciplinary. These concerns could include:

- Financial malpractice or impropriety or fraud
- Failure to comply with legal obligation or statutes
- Dangers to health and safety or the environment
- Criminal activity
- Improper conduct or unethical behaviour

- Inappropriate behaviour displayed by other members of staff, or any other person working with the children
- Attempts to conceal any of these

Safeguards

Protection

This is designed to offer protection to those employees of the playgroup who disclose such concerns provided the disclosure is made:

- In good faith
- In the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below). It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure. In an extreme case, malicious or mild allegations could give rise to legal action on the part of the persons complained about.

Confidentiality

Maidenbower Pre-School Playgroup will treat all such disclosers in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are less credible, but they may be considered at the discretion of the playgroup. In exercising this discretion, the factors to be taken into account will include:

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

Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure, the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes a malicious or vexatious allegation, and particularly if he or she persists with making them, disciplinary action may be taken against that individual and or reported to the police.

Raising a Concern

Employees should raise concerns with the manager or committee. 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 employee is concerned about the situation

Employees who feel unable to put their concerns in writing can telephone or meet with the Manager or a member of the committee.

Responding to a Concern

To protect individuals, preliminary enquiries (commonly involving a meeting with the individuals raising the concern), will be made to decide if an investigation is appropriate and, if so what form it should take. Concerns or allegations that raise issues that all within the scope of other policies/procedures will be addressed under these procedures. Some matters may be resolved at this initial stage simply by agreed actions or an explanation regarding the matter, without the need for further investigation. The action taken will depend on the nature of the matter. If there is evidence of criminal activity then the manager/committee will inform the police. The playgroup will ensure that any internal investigation does not hinder a formal police investigation.

The matters raised will be investigated internally or in the case of a child protection allegation against a staff member:

- Advice will be sought from LADO
- Ofsted will be informed
- The matter may be referred to the police if necessary

Support and Protection

'Blowing the whistle' can be difficult and stressful. Maidenbower Pre-School Playgroup will ensure that they do their best to protect the identity of the employee raising the concern and that he/she is not subjected to harassment or victimisation from others.

Investigation

The appropriate person/s will investigate the concerns thoroughly, ensuring that a written response can be provided within 10 working days. The response should include:

- Details of how the matter was investigated
- Conclusions drawn from the investigation, and

- Who to contact if the employee is not satisfied with the response and wish to raise the matter.

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

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

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted, but the complainant is not satisfied with the outcome of the investigation, Maidenbower Pre-School Playgroup recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons such as Health and Safety Executive, Ofsted, the Police or, where justified elsewhere.

If in any doubt, or need further support about procedures please contact:

Ofsted: [Tel:- 03001233155](tel:03001233155)

Email: whistleblowing@ofsted.gov.uk

Sussex Police: [Tel:- 101](tel:101)

Whistleblowing advice for staff and volunteers - Protect formally known as Public Concern at

Work: [Tel:- 020 3117 2520](tel:02031172520)

Email: helpline@pcaw.co.uk

NSPCC Whistleblowing Advice Line: Tel: 0800 028 0285

This policy was adopted by	_____	<i>(name of provider)</i>
On	_____	<i>(date)</i>
Date to be reviewed	_____	<i>(date)</i>
Signed on behalf of the provider	_____	
Name of signatory	_____	
Role of signatory (e.g. chair, director or owner)	_____	