

## **Safeguarding and Welfare Requirement: Suitable People**

**Providers must have effective systems in place to ensure that practitioners, and any person who is likely to have regular contact with children, are suitable.**

### **12.1 Whistleblowing**

#### **Policy statement**

Whistleblowing is the term used when someone who works in or for an organisation wishes to raise concerns about malpractice (fraud, misconduct or wrongdoing) in the organisation and the cover up of any of these.

Crowmarsh Pre-school is committed to delivering a high quality pre-school service, promoting organisational accountability and maintaining public confidence. We therefore encourage all individuals to raise any concerns that they may have about the conduct of others in the pre-school or the way in which the pre-school is run.

This Policy provides individuals in the workplace with protection from victimisation or punishment where they raise a genuine concern about misconduct or malpractice in the organisation.

#### **Procedures**

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

An instruction to cover up wrongdoing is itself a disciplinary offence. If you are told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. In this event you should report the matter to the Chair of the committee.

Whistleblowing is very different from a complaint or grievance. It only applies when you have no vested interest and you are acting as a witness to misconduct or malpractice that you have observed.

This Procedure outlines the safeguards in place for those making a complaint, how to make a complaint and the response and investigation to the complaint.

## SAFEGUARDING

### **Confidentiality**

A disclosure in good faith to the manager will be protected. Confidentiality will be maintained wherever possible and the employee or volunteer will not suffer any personal detriment as a result of raising any genuine concern about misconduct or malpractice within the organisation.

### **Harassments or victimisation**

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

Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.

### **Untrue allegations**

If you make an allegation in good faith but it is not confirmed by the investigation, no reprisals will be taken against you. If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you.

## MAKING A COMPLAINT

Concerns initially should be raised internally with the Pre-school Manager. If a volunteer or staff members feels they are unable to do this then they should report their concerns to the Pre-school committee chair.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are advised to set out the background and history of the concern, giving names, dates and places, where possible, and the reasons for making the disclosure. This will make the investigation easier to complete.

Although a member of staff is not expected to prove beyond doubt the truth of the allegation, they will need to demonstrate that they have an honest and reasonable suspicion that malpractice has occurred, is occurring, or is likely to occur.

This policy encourages you to put your name to your concerns, however if you feel that you must submit this anonymously it should be known that these allegations are much less powerful and will be considered at the discretion of the manager against the following criteria:-

- The seriousness of the issues raised
- The likelihood of confirming the allegation from the attributable sources
- The pre-schools best interests
- The protection of the pre-school's assets

You should also bear in mind that if you do choose to raise a concern anonymously it will be more difficult for the matter to be investigated and for you to be provided with feedback.

## RESPONSE & INVESTIGATION

Crowmarsh Pre-school will respond to any concerns raised. The action taken by the pre-school will depend on the nature of the concern. After initial enquiries to assess the seriousness of the matter it may be investigated internally or referred to the committee or police.

Concerns will be investigated and resolved as quickly as possible.

Where a complaint is received under the Whistleblowing Policy, the following procedure shall apply when investigating the allegations made.

### **1. Initial Enquiries**

An initial investigation should be conducted as soon as possible to ascertain the seriousness of the claim and where relevant take urgent action in response.

Complaints will be escalated by the Manager to the committee and or the police depending on the seriousness.

Some concerns may be resolved by action agreed with the complainant without the need for an investigation or it may be that an investigation can be completed without the person or persons under investigation being aware of the process.

### **2. Initial response by Manager / Management Committee**

Within 10 working days of the complaint being received the complainant will receive a letter by post to their home address :

- Acknowledging that the concern has been received
- Indicating how it proposes to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Informing you of whether any initial enquiries have been made
- Informing you whether further investigation will take place, and if not why not

### **3. Further Investigation**

The investigator (manager or delegate) will where relevant fully investigate the claim to ascertain the truth of the allegation.

Where applicable corrective actions may be identified as part of this investigation.

## 4. Final Report

Regardless of the level of investigation a report detailing the allegation and the result of investigations should be written. This report should include any corrective actions or action plan for improvement.

The final outcomes of the investigation should be formally communicated to the complainant.

All complaints and the final reports should be filed centrally and reviewed annually by management to identify the number and type of complaints. Corrective action plans identified as a result of these complaints should be reviewed for effectiveness as part of this review process.

This policy is intended to provide you with a way to raise concerns within the pre-school. The pre-school hope you will be satisfied by its response. If you are not you may wish to raise the matter with the police, a legal advisor (see further guidance below) or LADO.

If an employee or volunteer feels the matter cannot be discussed with the manager or the committee, he or she should contact LADO (Local Area Designated Officer) on 01865 815956 for advice on what steps to follow.

If a staff member has raised a concern internally but felt that it was not properly addresses or they felt unable to raise their concern at any level within the organisation they should contact the Pre-school's external regulator Ofsted:

- Call 0300 123 1231
- Email [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)

## Legal Frame Work

- The Policy is underpinned by the Public Interest Disclosure Act (PIDA) 1998.

## Further Guidance

- [www.gov.uk/whistleblowing](http://www.gov.uk/whistleblowing)
- Independent, confidential advice can be sought at any stage from the independent whistleblowing charity Public Concern at Work (PCaW)
  - Call 020 7404 6609
  - E-mail [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk)
  - Website [www.pcaw.org.uk](http://www.pcaw.org.uk)

This policy was adopted by

(name of  
provider)

Crowmarsh Pre School

On

5th Oct 2017

(date)

Date to be reviewed

5th Oct 2018

(date)

Signed on behalf of the provider



Name of signatory

SARAH HOLGATE

Role of signatory (e.g. chair, director or owner)

CO-CHAIR