

Safeguarding and Welfare Requirement: Child Protection.

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

1.8 Whistle Blowing Policy

Policy statement

Combe Pre-school and our out of hours provision is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, students, agency staff and all other individuals that we deal with, who have serious concerns about any aspect of the Pre-school and out of hours provisions work, to come forward and voice those concerns.

All our staff have an individual responsibility and right to raise matters of concern regarding poor, insufficient or malpractice at work. The staff's priority is the wellbeing and safety of all the children attending the Pre-school and our out of hours provision. This takes priority over any loyalty towards work colleagues.

What is Whistle Blowing?

Whistle blowing is the term used when someone who works in or for an organisation wishes to raise concerns about malpractice in the organisation (for example, crimes, civil offences, miscarriages of justice, dangers to health and safety or the environment), and the cover up of any of these. In the case of local authority safeguarding services, this is likely to be about a dangerous or illegal activity, or widespread or systemic failure in relation to children and young people and/or the services they receive.

Whistle blowing is very different from a complaint or a 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.

Whistle blowing encourages and enables employees to raise serious concerns within our Pre-school and out of hours provision, rather than overlooking a problem or "blowing the whistle" outside.

Employees are often the first to realise that there is something seriously wrong. However they may not express their concerns as they feel that speaking up would be disloyal to their colleagues or to the setting.

Aims of the policy

-To encourage staff and volunteers to feel confident in raising serious concerns and to question and act upon concerns about practice.

- Provide avenues for staff and volunteers to raise any concerns and receive feedback on any action taken;
- Ensure that staff and volunteers receive a response to their concerns and that staff and volunteers are aware of how to pursue them if they are not satisfied;
- Reassure staff and volunteers that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

There are existing procedures in place to enable you to lodge a grievance relating to staff's own employment, parent/carer concerns or complaints, and issues raised by outside agencies. The whistle-blowing policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

1. Conduct which is an offence or a breach of law;
2. Disclosures related to miscarriages of justice;
3. Health and safety risks, including risks to the public as well as other employees, parents/carers, children and others;
4. Damage to the environment;
5. Possible fraud and corruption;
6. Safeguarding/child protection concern involving children in the care of our Pre-school and out of hours provision;
7. Other unethical conduct;
8. Employee conducts which fails to safeguard the well-being of children and young people;
9. Amounts of improper conduct;
10. Falls below established standards of practice;
11. Concerns against the policies and procedures of Combe Pre-school and our out of hours provision.

This policy does not replace our complaints procedure

Safeguards for Preventing Harassment or Victimisation

- Our Pre-school and out of hours provision is committed to good practice and high standards and wants to be supportive of employees and others who have a genuine concern.
- The statutory guidance 'Working together to safeguard children, updated in 2015, places emphasis on supporting employees to voice their concerns in a safe forum and the legal obligation this has on early year settings.
- Our Pre-school and out of hours provision recognises that the decision to report a concern can be a difficult one to make. If what staff and volunteers are saying is true, they should have nothing to fear because they will be doing their duty to their employer and those for whom they are providing a service.
- Our Pre-school and out of hours provision will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect staff and volunteers when they raise a concern in good faith.
- Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect staff or volunteers.

Issues of Confidentiality

- Pre-school and our out of hours provision will do its best to protect staff and volunteers identities when they raise a concern. However, it must be appreciated that, in the interests of natural justice, any investigation process may reveal the source of the information and a

statement from staff and volunteers may be required as part of evidence.

Anonymous Allegations

- This policy encourages staff and volunteers to put their name to their allegation whenever possible.
- Concerns expressed anonymously are much less powerful but will be considered at the discretion of our Pre-school and out of hours provision and in conjunction with the relevant agencies where appropriate.
- In exercising this discretion the factors to be taken into account would include:
 - The seriousness of the issues raised
 - The credibility of the concern; and
 - The likelihood of confirming the allegation from attributable sources.

Untruthful Allegations

- If staff and volunteers make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against the staff member or volunteer who have made the allegation. If, however, staff or volunteers make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them in accordance with our Pre-school and out of hours provision procedures.

Procedures for reporting a concern

- If any malpractice or a concern has been observed then staff should normally raise concerns with their immediate Supervisor or Play leader. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that the supervisor is involved you should approach either the Deputy or our Committee chairperson or co-chairs.
- If staff and volunteers are worried at any stage about how to raise a concern, they should always seek independent advice at the earliest opportunity. This may be to check who may be best placed to deal with your concern or simply to talk the matter through in confidence first and discuss how to raise your concern. You can contact your Locality Senior Social Worker and request a 'no names' consultation (meaning you don't give the staff's name). You will either be referred directly to a Social Worker, or will be called back by one when they are available, and you can then discuss the situation with them and they will advise you on what to do next. If a referral needs to be made, they will advise you of this: North Oxfordshire (including Banbury, Witney, Bicester, Carterton and Woodstock) – 01865 323039.

Concerns may be raised verbally or in writing. The earlier staff and volunteers express the concern the easier it is to take action.

- Staff or volunteers who wish to make a written report are advised to provide the following information:
- The background and history of the concern giving relevant dates and times;

- The reason why they are particularly concerned about the situation.
- Although staff and volunteers are not expected to prove beyond doubt the truth of an allegation, they will demonstrate to the person contacted that there are reasonable grounds for their concern.
- If staff and volunteers have raised their concerns internally but feel this has not been properly addressed, or if they feel unable to raise their concern at any level within our organisation, they may feel the need to raise their concern outside their place of work. It is advisable, in terms of both addressing the concern and securing the staff or volunteers own protection as a whistleblower, to raise this first with the body that has some oversight of the work of your employer. This may be a governing body, the local authority, a funding agency or a national regulator. If staff and volunteers concerns are about an immediate or current risk to an individual child or children, it is important that you follow child protection procedures.

With specific regard to safeguarding issues, that may involve a member of staff, you should initially consult with the Supervisor and Play leader (Andrea Oliver) who is our delegated Safeguarding Officer, our Deputy Safeguarding Officer (Sarah Timms) or our Committee Safeguarding Officer (Rebekah Dallas). If you suspect they may be related to the issue you should contact the relevant children's services or the designated early year's officer for early years for the local authority, or contact Multi-Agency Safeguarding Hub (MASH) on 0845 0507666, or you can email an **enquiry form** to the MASH on mash-childrens@oxfordshire.gcsx.gov.uk, where you can request a no names consultation. More information can be found on the Oxfordshire Safeguarding Children Board website at <http://www.oscb.org.uk/>.

How our Pre-school and out of hours provision will respond

- Our Pre-school and out of hours provision will respond to your concerns. Do not forget that testing out staff and volunteers concerns is not the same as either accepting or rejecting them.
- Where appropriate, the matters raised may;
 - Be investigated by management or through the disciplinary process
 - Be referred to the police, our local safeguarding board
 - Form the subject of an independent inquiry
- In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which our Pre-school and out of hours provision will have in mind is the child/public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.
- Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- Within 10 working days of concern being raised, the responsible person will write to you;
 - Acknowledging that the concern has been received

- And Indicating how we propose to deal with the matter
 - Giving an estimate of how long it will take to provide a final response
 - Telling staff and volunteers who have made concerns, whether any initial enquiries have been made
 - Supplying staff and volunteers with information on staff support mechanisms, and
 - Telling staff and volunteers whether any further investigations will take place and if not, why not.
- The amount of contact between the Supervisor or Play leader and Committee considering the issues and staff and volunteers will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, our Pre-school and out of hours provision will seek further information from staff and volunteers.
 - Where any meeting is arranged, off site, staff and volunteers may wish to be accompanied by a professional association representative.
 - Our Pre-school and out of hours provision will take steps to minimise any difficulties which any staff and volunteers may experience as a result of raising a concern. For instance, if staff or volunteers are required to give evidence in criminal or disciplinary proceedings our Pre-school and out of hours provision will arrange for them to receive advice about the procedure.
 - Our Pre-school and out of hours provision accepts that staff and volunteers need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform staff and volunteers of the outcome of any investigation.

How matters can be taken further

- This policy is intended to provide staff and volunteers with an avenue within our Pre-school and our out of hours provision to raise concerns. The Pre-school and our out of hours provision hopes that staff and volunteers will be satisfied with any action taken. If they are not, and if they feel it is right to take the matter further, outside of the setting, the following are possible contact points:
 - your local Citizens Advice Bureau
 - relevant professional bodies or regulatory organisations, such as OFSTED
 - a relevant voluntary organisation
 - the police
- If staff and volunteers take the matter outside our Pre-school and our out of hours provision, then it is vital that staff and volunteers ensure that they do not disclose confidential information. Check with the contact point about that.
- Ofsted's whistle blowing dedicated hotline (0300 1233155), is staffed from 8am to 6pm, Monday to Friday.
- Whistle blowing disclosures can also be submitted to Ofsted by email to the Ofsted whistle blowing team (whistleblowing@ofsted.gov.uk) or by post to:

- Ofsted,
Piccadilly Gate,
Store Street,
Manchester,
M1 2WD.

Email enquiries@ofsted.gov.uk

General enquiries 0300 123 1231

About concerns 0300 123 4666

The helpline is open Monday to Friday from 8.00am to 6.00pm

- These policies and procedures will be communicated to all employees as well as parents /carers, students and others.

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)	_____	