Whistle Blowing

In order to maintain the highest standards in our setting employees are encouraged to raise serious concerns about possible malpractice, in good faith and be protected from possible reprisals or victimisation.

All of us at one time or another is concerned about things that happen at work. Usually these concerns are easily resolved. However, sometimes it can be difficult to know what to do.

You may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it is none of your business or that it is only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or the organisation. You may feel that your job would be at risk if you raised your concern. You may decide to say something but find you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

When you reasonably believe you have information which tends to show malpractice such as – (we have included some examples for each one)

* Breach of legal obligation – not following the policies and procedures required by the EYFS, not keeping to the ratios or leaving unqualified staff in charge.
* Criminal offence – taking obscene photographs of children and showing them to other people or stealing money or possessions from setting, staff or families.
* Breach of health and safety – leaving hot cups of coffee where children can reach them or not recording accidents in accident book.
* Environmental damage – spraying tables with antibacterial spray while children are sitting at table or allowing children to block toilets with toys or other objects.
* Miscarriage of justice – not following the correct disciplinary or capability procedures that punishes a person for something they did not do.
* Abuse of adult or child – physical, emotional, sexual or neglect.

We give all of our staff the telephone numbers of the Local Authority Designated Officer (LADO) via SPOA 01323 464222 the Local Safeguarding Children Board (LSCB) 01327 552030 and Ofsted 0300 123 1231 so all staff may contact them if they cannot talk to anyone internally about the issues/concerns observed.

* Whistle Blowing:whistleblowing@ofsted.gov.uk
* NSPCC whistle blowing advice line 0800028 0285
* Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Procedure for Investigating, Recording and Reporting Allegations of Malpractice.

Where a complaint of malpractice is received under the Whistle Blowing Policy the following procedure shall apply when investigating the allegations made:

**How to raise concerns:**

1. Speak to your line manager either verbally or in writing. If the timing is right, you could raise this at your supervision session.
2. If you feel unable to raise it with your line manager go to the most senior person in the organisation.
3. If you still have concerns or feel the matter is so serious you cannot discuss it with either of the above and the matter related to concerns about the behaviour displayed by another member of staff you should follow Allegations Management procedures.
4. If the matter is not related to possible abuse and you feel it is so serious you cannot discuss it with either of the above or you are unsure and want independent advice you should contact –

The independent charity Public Concern at Work on 0207 4046609. their advisers can give free confidential advice at any stage about how to raise a concern about malpractice at work. They will support and advise you on the law and how to proceed. They will do this confidentially.

1. Financial irregularity will not be investigated under the Whistle Blowing Policy.
2. The investigating person will –

Conduct the investigation

Comply with the Human Rights Act 1998

Where anonymity is requested, ensure every effort is made to guarantee such confidentiality.

Propose an action plan for improvement where this is necessary.

Report the outcome to the most senior person in the organisation

Update the complainant of the progress made.

A central register will be kept of all complaints received. This shall be reviewed annually to identify the number of complaints, the outcome of each investigation including action plans for improvement.

**What happens if a concern is raised?**

The concern will be looked into to assess what action should be taken initially. This might be an internal inquiry or a more formal investigation. It should be acknowledged within days telling you who is dealing with it, how you can contact that person and whether you will be needed for further information.

You should say if you have a personal interest in the matter.

You should receive a written confirmation of your concern, and what is likely to happen. You should be advised of the outcome of the investigation.

It is inappropriate to raise a concern outside your organisation before you have raised it internally, as this might weaken the protection given to you under the Public Interest Disclosures Act 1998.

Employment grievances are not covered under the Whistle Blowing Policies, these grievances should be raised under the organisations grievance policy given when you start work.

If you raise a concern in good faith, you will not be at risk of losing your job or suffer any form of retribution as a result. This does not extend to anyone who maliciously raises a matter they know to be untrue.

Harassment or victimisation of anyone raising a genuine concern will not be tolerated. It is acceptable to raise a concern in confidence and if you request your identity be protected; your details should not be disclosed without your permission. If a situation arises where your identity cannot be kept confidential (i.e. if your evidence was required in courts) you will be consulted about the procedure.

Our organisation will consider anonymous concerns, however if you do not reveal yourself, the person investigating will not be able to give you any feedback. It will also make the task of investigating the concern more difficult.

**If you are dissatisfied**

If you are unhappy with the response from the investigating individual you can always speak to the charity Public Concern at Work at any stage of the process.