



High Legh Preschool Nursery - Whistleblowing policy

What is Whistleblowing?

Whistleblowing is when someone raises a concern about a dangerous or illegal activity or any wrongdoing within their organisation.

Raising a concern is known as "blowing the whistle" and is a vital process for identifying risks to people's safety.

High Legh Preschool Nursery is committed to the highest possible standards and we are committed to creating and maintaining a culture of openness so that individuals feel encouraged and confident to raise any concerns relating to suspected misconduct at an early stage.

The aim of this policy and associated procedures is to establish an internal procedure that will encourage and enable staff, students and volunteers to raise concerns about any aspect of the setting's practice, (which do not meet the criteria for being dealt with as a complaint or grievance), in confidence and without fear of reprisals, to ensure that the setting continues to work within best practice and safeguard children and young people.

Concerns that should be raised via the whistle-blowing policy may be in relation to the actions/behaviours of other staff, students or volunteers, or about something that is perceived as:

- unlawful
- failing to comply with the setting's policy and procedures
- poor practice
- improper conduct.

This policy is based on the following fundamental principles:

- All staff, students and volunteers have the right to raise concerns about perceived unacceptable practice or behaviour.
- The responsibility for expressing concerns about unacceptable practice or behaviour rests with all staff, students and volunteers.
- The setting will not tolerate harassment or victimisation and will take action to protect workers when they raise a concern in good faith.
- The setting will do its best to protect a whistle-blower's identity when he/she raises a concern and does not want his/her name to be disclosed. However, if the concern raised needs to be addressed through another procedure, e.g. disciplinary procedure, the worker may be required to provide a signed statement as part of the evidence.

- In some circumstances the setting may have to disclose the identity of the worker without his/her consent, although this will be discussed with the worker first.
- Appropriate advice and support will be made available to staff, students and volunteers who raise concerns.
- Those who raise concerns will be kept informed of the progress and outcome of any investigation.
- The setting will not tolerate malicious allegations; these may be considered as a disciplinary offence.

Procedures for reporting and investigating 'whistle-blowing' concerns have been developed to ensure that:

- Staff, students and volunteers can raise concerns (no matter how small they may appear) internally as a matter of course and receive feedback on any action taken.
- Concerns are taken seriously and dealt with quickly and appropriately.
- Staff and volunteers are reassured that they will be protected from reprisals or victimisation for whistle-blowing in good faith.
- Staff and volunteers can take the matter further if they are dissatisfied with the setting response and seek external advice and guidance.
- Issues raised are addressed via other procedures and policies as appropriate, e.g. safeguarding policy, allegations against an adult working in a setting, grievance, disciplinary, health and safety.
- Appropriate records are maintained for monitoring purposes

Whistleblowing procedures

Raising a concern

Staff, students and volunteers should raise concerns with the Manager or Committee.

Concerns should be raised in writing and include:

- reference to the fact that it is a whistle-blowing disclosure
- the background and history of the concerns
- names, dates and places (where possible)
- the reasons why the individual is concerned about the situation.

Staff who feel unable to put concerns in writing, can meet either the Nursery Manager or a member of the management committee.

Who should you contact?

You should contact one of the following people in confidence:

If the concern is regarding a member of staff then you should raise this with **Nursery Manager or The Chair of the committee.**

If the concern is relating to any of the above you must contact the **LADO**
LADO@cheshireeast.gov.uk **TEL: 01606 288931**

OSFTED: <https://www.gov.uk/government/publications/whistleblowing-about-childrens-social-care-services-to-ofsted/whistleblowing@ofsted.gov.uk>
whistleblowing hotline on 0300 1233155 (8am to 6pm, Monday to Friday)

Investigation

The action taken will depend on the nature of the concern.

All matters raised, with the exception of allegations of abuse against a staff member, or unlawful activity, will be investigated internally. (See allegations against a staff member policy)

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

The response should include details of how the matter was investigated, conclusions drawn from the investigation, and whom to contact should the staff member be unhappy with the response and wish to raise the matter.

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

- progress to date
- how the matter is being dealt with
- how long it will take to provide a final response.

In order to protect individuals, initial enquiries (usually involving a meeting with the individual raising the concern), will be made to decide whether an investigation is appropriate and if so, what form it should take. Concerns or allegations that raise issues that fall within the scope of other policies/procedures, will be addressed under those procedures.

Some concerns may be resolved at this initial stage simply, by agreed action or an explanation regarding the concern, without the need for further investigation.

If you do not feel that the complaint has been dealt with effectively or you still have concerns, you have a right to refer your concerns to Ofsted.

You should call the Whistleblowing Advice Line if you think your concern won't be dealt with properly or may be covered-up or if:-

- you've raised a concern but it hasn't been acted upon
- you're worried about being treated unfairly.

You can call about an incident that happened in the past, is happening now or you believe may happen in the future.

Call 0800 028 0285

Email help@nspcc.org.uk

What to expect when you call

One of our call handlers will connect you with a trained practitioner.

They will discuss your concerns with you and:

- talk you through the whistleblowing process
- take details of your concern
- explain the protection available to you if you need it
- get relevant agencies and authorities to take action on your concern.

You don't have to tell us who you are if you don't want to - you can remain anonymous. If you do give us your name and contact details you can ask us not to share these with other agencies

If you think a child is in immediate danger

Don't delay – call the police on 999,
or call us on 0808 800 5000, straight away.

What the law says about whistleblowing

If you disclose information about wrongdoing the law protects you from being treated unfairly or losing your job.

A disclosure qualifies for protection if you are a worker and you disclose something about an organisation.

A disclosure must be about something that affects the general public such as:

- a criminal offence has been committed, is being committed or is likely to be committed
- a legal obligation has been breached
- there has been a miscarriage of justice
- the health or safety of any individual has been endangered
- the environment has been damaged
- information about any of the above has been concealed.

This is set out in the Public Interest Disclosure Act 1998. The Act applies to England, Scotland and Wales. For more information about child protection across the UK see our pages on reporting concerns in England, Northern Ireland, Scotland and Wales

The NSPCC has been a prescribed whistleblowing body for child welfare and protection since 2014 (Department for Business, Innovation and Skills, 2016). This means any worker who has child protection or welfare concerns can make a disclosure to us and we can seek to protect them against unfair treatment at work.

You can find out more about whistleblowing on the GOV.uk website.

About the Whistleblowing Advice Line

In addition to our general helpline for anyone who is worried about a child and would like support and advice, we run several dedicated helplines.

The Whistleblowing Advice Line was commissioned by the Home Office. It is a direct response to the recommendation for "a new whistleblowing national portal for child abuse related reports" set out in the Government's Tackling child sexual exploitation report (HM Government, 2015).

The Whistleblowing Advice Line isn't intended to replace any current practices or responsibilities of organisations working with children.

We encourage professionals to raise any concerns about a child to their own employer in the first instance.