

Safeguarding and Welfare Requirement: Child Protection

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

1.2 .2 Whistle blowing policy

Policy statement

The Manager/ Proprietor recognises that a member of staff may be the first to realise if something is wrong within the pre-school. However, he/she may not want to express their concerns because they feel that speaking up would somehow be disloyal to another member of the team.

It is important for all staff to know that the pre-school is committed to the highest possible standards of openness, integrity and accountability. Part of meeting that commitment is to encourage staff and others with concerns about any aspect of the pre-school to feel that he/she is able to voice those concerns.

All concerns will be treated sensitively and with due regard to confidentiality.

Aims

- To encourage staff to feel confident in raising serious concerns at the earliest opportunity;
- To act upon concerns about practice;
- To provide opportunities for staff to raise these concerns and receive feedback on any action taken;
- To ensure that they receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied;
- To reassure them that they will be protected from possible reprisals or victimisation if they have made any disclosure in good faith.

What should be reported

- This policy is designed to deal with major issues that could/would lead to a criminal conviction.
- These issues may make the member of staff reporting their concerns feel uncomfortable,
- are not in keeping with the pre- school's regulations and policies,
- fall below established standards of practice,
- are improper behaviour
- Examples of the type of issue that would fall within the scope of this procedure are:
 - Conduct which is a criminal offence or breach of the law
 - Sexual or physical abuse of pupils or others
 - Major health and safety risks – to staff or members of the public

- Fraud and / or corruption
- Other unethical conduct of a serious nature
- A miscarriage of justice or environmental damage.

Procedures

- Concerns should be verbally raised as soon as possible with the Manager and then put in writing.
- If the concern is about the Manager, then the concern should be verbally reported to the Deputy Manager and then put into writing.
- These disclosures should provide as much information as possible about the matter, including dates, individuals involved, other possible sources of information, etc.
- Staff must be able to demonstrate to the person hearing the disclosure that there are reasonable grounds for making the allegations.
- Within ten days, the Manager will write to the individual concerned to acknowledge receipt of their concerns and to indicate how the pre-school intends to deal with the issue including whether any further investigation will take place.
- The pre-school will do what it can to minimise any difficulties that any member of staff may experience as a result of raising a concern. (If a member of staff is asked to give evidence in criminal or disciplinary proceedings, the pre-school will arrange for them to receive appropriate advice and support).
- They will be assured that their disclosure has been properly addressed. Unless there are any legal reasons why this cannot be done, they will be kept informed of the progress and outcome of any investigation.

Support and Advice

If an individual is unsure whether to raise a concern or wants confidential advice, they may wish to consult the Pre-school Learning Alliance.

Alternatively, they can contact the independent charity Public Concern at Work on 020 7404 6609 or at helpline@pcaw.co.uk whose lawyers are able to give individuals free confidential advice on how to raise a concern about serious malpractice at work.

Confidentiality

Every effort is made to protect the identity of the person raising the concern if they so wish; however, the information will be passed to those with a legitimate need to have it, and it may be necessary for the individual to provide a written statement or act as a witness in any subsequent enquiry. This is always discussed with the individual first.

Protection for the Whistle-blower

All concerns raised under this procedure will be treated seriously and a decision made about whether or not an investigation is appropriate. Depending upon the nature of the matter it may be referred to OFSTED or the police. The person to whom you reported your concern will be responsible for keeping you informed about the progress of the investigation and the action, which has been taken, although you may not be told the outcome.

In some cases, the investigation may result in criminal or disciplinary proceedings. If this happens you may be invited to give a written statement or give evidence at a hearing.

The Manager will support you in this process and ensure that you are clear about what will happen.

The Manager will not tolerate harassment or victimisation and will take action to protect you if you have raised a concern in good faith.

Any member of staff who is found to have victimised or harassed another who has raised a concern will face disciplinary action.

Anonymous Allegations

Staff are encouraged to give their name when raising concerns. A concern expressed anonymously is much less powerful and is often more difficult to investigate.

The decision whether to investigate an anonymous allegation will be made by the Manager.

When making this decision they will take into account the seriousness of the issues raised, the credibility of what is being said and the likelihood of confirming the allegation from other sources.

Untrue allegations

If an allegation is found to be untrue, but the member of staff has made the allegation in good faith, no action will be taken against them. However, anyone who makes allegations

Taking the matter further

The aim of the policy is to provide staff with an appropriate way to raise their concerns. Hopefully, they will be satisfied with any action taken as a result of their raising issues. However, should this not be the case and they feel it necessary to take the matter outside the pre-school, they can contact:

- Barnet County Council's Strategic Director for Children & Young People's Services
- Alban Pre-School's Barnet Advisory Teacher
- The Police
- OFSTED

This does not prevent staff from seeking their own legal advice. If the member of staff raises their concerns outside the school, they should ensure that it is to one of the above prescribed contacts.

A public disclosure to anyone else could take them outside the protection of the Public Interest Disclosure Act and of this policy.

They should not disclose information that is confidential to the pre-school, to anyone else, such as a parent, friend family member.

The response officer

The Manager/Proprietor has overall responsibility for the maintenance and operation of this policy, and will maintain a record of concerns raised and the outcomes. Records will be kept in such a way so as not to endanger the confidentiality concerning the identity of the person raising concerns.

Legal framework

- Children Act (1989)
- Protection of Children Act (1999)
- The Children Act (2004)
- Safeguarding Vulnerable Groups Act (2006)
- Childcare Act (2006)

Further guidance

- Information can be found at: www.acas.org.uk/conciliation and the Acas helpline can provide further advice.
Telephone: 0300 123 1100

This policy was adopted by

Alban Pre-School

On

15/01/2019

Signed
