

# Safeguarding and Promoting Children's Welfare

## 1.11 Whistleblowing

### Definition

Whistleblowing is raising a concern about misconduct or malpractice within Cullompton Pre-School.

### Introduction

Cullompton Pre-School is an organisation committed to delivering a high quality service, promoting organisational accountability and maintaining public confidence. Employees are often the first to realise that something seriously wrong may be happening within the setting. However, they may not express their concerns either because they feel that speaking up would be disloyal to their colleagues or to the setting or because they fear harassment or victimisation. In these circumstances it may be easier to ignore the concern than to report what may be a suspicion of malpractice. 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.

We are committed to the highest possible standards of openness and accountability. We encourage employees and others with serious concerns to come forward and voice those concerns about any aspect of the pre-school's work. We recognise that certain cases will have to proceed on a confidential basis. This policy makes it clear that staff can do so without fear of reprisals and is intended to encourage staff to raise serious concerns with the setting rather than overlooking a problem or publicly disclosing the matter.

The policy is underpinned by the Public Interest Disclosure Act 1998, which encourages people to raise concerns about misconduct or malpractice in the workplace, in order to promote good governance and accountability in the public interest. Concerns raised under this Whistleblowing Policy should be about something that is, or may be:

- A criminal offence
- Failure to comply with any legal obligation
- Conduct around safeguarding/child protection concerns
- A miscarriage of justice
- Danger to health and safety of an individual and/or environment
- Deliberate concealment of information about any of the above
- Theft, fraud and deliberate falsification of records, expenses, qualifications and other offences of dishonesty
- Physical violence
- Serious bullying or harassment
- Deliberate damage to property
- Conviction of a criminal offence relevant to the employee's role
- Gross negligence
- Serious insubordination
- Misuse of the setting's property or name
- Misuse of electronic communications which defames individuals or brings the organisation into disrepute
- Bringing the organisation into serious disrepute

It is not intended that this policy be a substitute for, or an alternative to our formal Complaints policy, Disciplinary or Grievance policies, but is designed to nurture a culture of openness and transparency within the organisation, which makes it safe and acceptable for employees and volunteers to raise, in good faith, a concern they may have about misconduct or malpractice.

### **Confidentiality**

All concerns will be treated in confidence and we will do our best to protect your identity if you do not want your name to be disclosed. If investigation of a concern discloses a situation which is sufficiently serious to warrant disciplinary action or police involvement then your evidence may be important. Your name will not however, be released as a possible witness until the reasons for its disclosure at this stage have been fully discussed with you.

### **Anonymous Allegations**

This policy encourages you to put your name to your allegation. Concerns expressed anonymously are much less powerful but they will be considered at the discretion of the committee against the following criteria:

- the seriousness of the issues raised
- the likelihood of confirming the allegation from attributable sources
- the pre-school's 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 would be more difficult for the matter to be investigated and for you to be provided with feedback.

### **How to Raise a Concern**

An employee, volunteer or family member who, acting in good faith, wishes to raise such a concern should normally report the matter to the Pre-School Leader or Administration Manager, who will advise the employee, volunteer or family member of the action that will be taken in response to the concerns expressed. Concerns should be investigated and resolved as quickly as possible. The Pre-School Leader or Administration Manager will consult with the committee chairperson as to the next most appropriate course of action and legal advice, through LAWCALL may be sought.

Employees, if they wish, may raise their concerns via the pre-school's Grievance Procedure.

Concerns can be raised orally but it is good practice for the concern to be recorded in writing immediately to ensure that all the details are correctly understood. A written allegation should set out the background and history of the concern (giving names, dates and places where possible) and the reason why you are particularly concerned about the situation. It is preferable for you to record this in writing yourself. However, where the person to whom you voice your concerns writes these down, a copy will be sent to your home address within 48 hours, to give you an opportunity to agree this as a correct record.

The earlier you express the concern, the easier it is to take action.

If an employee, volunteer or family member feels the matter cannot be discussed with the Pre-School Leader or Administration Manager, then they should contact the

- Chairperson of the committee, in writing in an envelope marked 'Confidential' (the envelope can be placed in our parents post box located in the pre-school entrance lobby) or by email [chairperson@cullomptonpreschool.org](mailto:chairperson@cullomptonpreschool.org)
- or Ofsted has a dedicated whistleblowing hotline on 0300 123 3155 (Monday to Friday from 8.00 am to 6.00 pm)
- You can email Ofsted – [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)
- You can contact Ofsted by post – WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

*The NSPCC has launched a government funded Whistleblowing Advice Line. This will take calls from professionals from any sector who are worried about the way their, or another, organisation is dealing with child protection issues. Employees who don't feel able to escalate these issues internally can contact the service, as well as those who have been unsuccessful in doing so. It can be reached for free on **0800 028 0285** and can be contacted anonymously <https://www.nspcc.org.uk/fighting-for-childhood/news-opinion/new-whistleblowing-advice-line-professionals/>*

### **Response of the Pre-School**

Where urgent action is required in response to a concern, this may well be taken before a full investigation is conducted.

Some concerns may be resolved by action agreed with you, without the need for investigation, or it may be that an investigation can be completed without the person or persons under investigation being aware of the process. This will not apply in the event of safeguarding issues or concerns.

In any event, within 10 working days of a concern being received, the Administration Manager or the Chairperson of the committee will write to you at your home address to:

- confirm that the concern has been received
- indicate how we propose to deal with the matter
- give an estimate of how long it will take to provide a final response
- tell you whether the initial enquiries have been made
- tell you whether further investigation will take place and, if not, why
- advise that the committee will be informed

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

This policy has a two yearly review period and, as such, will be reviewed and signed off at a management committee meeting of Cullompton Pre-School each year, as shown below.

Adopted in:-	17 <sup>th</sup> October 2012	by	Michael Hall
Previously reviewed on:-	13 <sup>th</sup> October 2014	by	Caroline Williams
Previously reviewed on:-	27 <sup>th</sup> February 2017	by	Sarah Lush
Previously reviewed on:-	25 <sup>th</sup> February 2019	by	Alex Fox
Previously reviewed on:-	24 <sup>th</sup> January 2022	by	Jack Madge

Reviewed by Staff on:	20 <sup>th</sup> May 2024
Reviewed by Committee on:	20 <sup>th</sup> June 2024
Date of next review:	May 2026
Signed on behalf of the Management Committee:	Rebecca Collins
Name of Signatory (printed):	Rebecca Collins
Role of Signatory (e.g. Chairperson)	Committee Member