

## Whistleblowing Policy

This policy and associated procedures were adopted by Chelford Village Preschool on October 10th 2022.

Date of last review: 18<sup>th</sup> September 2023

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Version: 1.0

### Version Control Table

Version	Date Reviewed	Reviewed By	Comments
1.0	10 <sup>th</sup> October 2022	Katherine Bones	New Policy Adopted
	18 <sup>th</sup> September 2023	Katherine Bones	No Change

## **Whistleblowing Policy**

### **Introduction**

Chelford Village Preschool is committed to the highest possible standards and recognises that its staff, students and volunteers are often the first to realise that there may be something wrong within the setting. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or they may fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The Public Interest Disclosure Act 1998 protects workers who raise concerns from victimisation or harassment. In accordance with that Act and its commitment to the highest standards of service delivery, the setting actively encourages its workers with concerns about any aspect of the setting's practice or any adult's, volunteer's or student's conduct to come forward and voice those concerns, in confidence, within the setting rather than overlooking a problem.

### **Policy Statement**

Chelford Village Preschool is committed to the highest possible standards of openness and inclusiveness, accountability and integrity.

We aim to:

- Encourage those working in the setting to report suspected wrongdoing promptly, in the knowledge that it will be taken seriously.
- Provide guidance on how to raise concerns.
- Reassure staff that they are able to raise genuine concerns made in the public interest without fear of reprisals, even if they turn out to be mistaken.

This document explains the types of concerns that can be raised under this procedure, who staff can contact if they wish to raise a concern, the legal protection for whistle blowers, and how whistleblowing concerns will be handled. This procedure should be followed for any whistleblowing matters raised by employees of the preschool, supply staff and agency workers.

### **Scope: What is Whistleblowing?**

Whistleblowing is when a worker reports certain types of wrongdoing or misconduct within an organisation. The wrongdoing disclosed must be in the public interest. This means it must affect others, such as pupils, staff or the general public.

The wrongdoing must relate to or show one of the following:

- a criminal offence
- a failure to comply with a legal obligation
- a possible miscarriage of justice
- a Health & Safety risk
- damaging the environment
- misuse of public money
- corruption or unethical conduct
- abuse of pupils, students or other users
- deliberate concealment of any of these matters
- any other substantial and relevant concern.

The concern could be about something that happened in the past, is currently happening or likely to happen in the future.

This procedure does not cover concerns that are covered by other procedures. For example, an employment problem may well be covered by the Grievance Procedure or Personal Harassment & Bullying Procedure.

Ordinarily we envisage that our normal channels are sufficiently open and effective for most concerns to be raised, however we recognise that this may not always be appropriate or possible. This policy and associated procedure, offers the means to raise concerns about any aspect of our provision or the conduct of staff, committee members or other people acting on behalf of the setting.

Initially, we will always seek to deal with any concerns through our internal procedures. Public disclosure may well be justified at some point but we would prefer not to pursue this angle until the setting has had the opportunity to investigate the concern. Premature or unnecessary publicity may impede proper investigations, hurt individuals or damage our reputation.

### **Harassment of Victimisation**

Chelford Pre-school recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal. Chelford Pre-school will not tolerate any harassment or victimisation and will take action to protect you when you raise a concern in good faith.

If you are involved in other procedures, such as disciplinary or redundancy, these will be kept quite separate from the investigation of your complaint. You will not be penalised in any way, where you make an

allegation in good faith but it is not confirmed after it has been investigated. A concern that is raised frivolously, maliciously or for personal gain may result in action being taken against you.

### **Confidentiality**

Your concern will be treated in strict confidence, within this Procedure, and everything done to protect your identity when you 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 by you may be required as part of the evidence.

### **Anonymous Allegations**

You are strongly encouraged to put your name to any allegation. Concerns expressed anonymously are much less powerful. Anonymous allegations will be considered and any action taken at the discretion of Chelford Pre-school and in conjunction with the relevant agencies where appropriate. In exercising this discretion, the following factors will be taken into account when considering how to deal with any allegations:

- The seriousness of the issues raised;
- The credibility of the allegation;
- The likelihood of confirming the allegation from attributable sources.

### **Malicious or vexatious allegations by employees**

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make a malicious or vexatious allegation, disciplinary action may be taken against you in accordance with the Chelford Pre-school procedures.

### **Protection for whistle blowers**

Whistle blowers are protected by law from being treated unfairly or losing their jobs because they 'blow the whistle'. Whistle blowers must hold a reasonable belief that the concern they are raising is in the public interest.

The management and committee will provide all reasonable protection for those who raise concerns made in the public interest, and will be responsible for ensuring that appropriate personal support is offered both to a worker raising a concern and to any worker against whom allegations have been made under this procedure.

### **Raising a Concern**

Who to approach:

- If you have a concern, you should raise this with the manager of the setting, where the concern is regarding or involving the manager, you should raise the concern with the chair of the committee.
- When deciding who it would be best to approach, take into account the type of matter, its seriousness and its sensitivity – and who may be involved.

How to raise your concern:

You can raise your concern orally (i.e., face to face or over the phone) or in writing. If you write, mark the envelope 'personal and confidential'. Whichever way you choose, please give as much information as you can.

The following headings should help you organise your thoughts but you do not have to follow them exactly:

- Why you are concerned and the background information.
- Any other procedures which you have already used - and what happened.
- The people who are involved and where they work.
- Dates or periods of time.
- The names and jobs of any other people who will (or may) support your concern.

The earlier a concern is raised the better. Whilst you will not be expected to prove that allegations are true, you will need to show that you have a reasonable basis for your concern.

You may want to discuss the matter with one or two colleagues first. Their support could be helpful. There is nothing to stop two or more of you putting your names to a concern.

### **Involvement of a trade union or professional association, or other support such as a friend**

You may ask your trade union or professional association or other support such as a friend, to either raise a matter on your behalf, or support you at any meeting or interview.

### **Help with the procedure**

If you need any help understanding the procedure, any of the following people or organisations will help you:

- The setting manager, or chair of the committee.
- Your trade union
- NSPCC Whistleblowing Advice Line
- Protect (formerly Public Concerns at Work) Advice Line

### **How your concern will be dealt with**

As a start, discreet enquiries will be made by the manager or the chair of the committee to decide whether an investigation is needed and if so, how it should be carried out. This will help protect everyone concerned. The overriding principle will be the public interest.

Some concerns may be resolved by agreed action without the need for an investigation. Where the concern is deemed to come under the remit of another safeguarding or employment policy, the relevant procedure will then be followed, for example, Allegations against staff, volunteers or agency staff procedure.

In some cases, a detailed investigation may be necessary, and any urgent action will be taken before the investigation starts.

It may be necessary to involve other agencies, for example, the police, or local safeguarding officers, or social services, in which case the matter will be dealt with in accordance with their policies and procedures, or within the law.

Any person who is the subject of an allegation should, at the appropriate times be given details of the allegation in order to respond.

### **What you will be told**

Within 10 working days of your concern being received, the manager who carries out the initial enquiries will write to you confirming:

- What initial enquiries have been made?
- How your concern has been or will be dealt with.
- How long any further action may take (as far as this can be known).
- What further work is planned and how you may be involved.

The amount of contact you have with the people considering the matter will depend on many things. These include the type of concern, the potential difficulties of investigating it and the availability of information. You may need to provide more help. Wherever possible, you will be told the final outcome of an investigation.

### **Personal Support**

Chelford Village Preschool will do all it can to minimise any difficulties which you may have because you have mentioned your concern. As far as we can, you will be offered personal support, which the manager leading the investigation will arrange. For example, if you had to give evidence in disciplinary or criminal proceedings, full advice about the procedure would be given to you.

## **Independent Advice and Help**

This procedure is meant to give everyone an effective way to raise a concern within the setting and where possible, to resolve it internally. You should not feel that you have to take an issue outside the setting to get satisfaction.

If, however, you are still not satisfied after receiving a final response, or if you feel unable to follow any part of this policy and procedure there are a number of independent organisations available to offer further support, these are:

- Ofsted: Whistleblowing Hotline 0300 1233155 (8am to 6pm, Monday to Friday), email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk), or write to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD.
- NSPCC Whistleblowing Advice Line 0800 028 0285, [www.nspcc.org.uk/whistleblowing](http://www.nspcc.org.uk/whistleblowing)
- Protect (formerly Public Concern at Work) 020 3117 2520, <https://protect-advice.org.uk/>

This organisation seeks to ensure that concerns about serious malpractice are properly raised and addressed in the workplace. The staff will give you free expert and confidential advice about how to raise a concern about serious malpractice at work using a Whistleblowing Policy.

- The Police.
- Your trade union.
- A Citizens Advice Bureau.

If you raise the matter outside the school, employees must take into account the rules about disclosing confidential information, and are advised to also refer to your staff code of conduct and confidentiality agreements.