# **Logo  Description automatically generatedWhistleblowing Policy**

**This whistleblowing procedure aims to help protect both staff and children. By following the procedure, you are acting to:**

* **Prevent a problem getting worse.**
* **Safeguard children and young people.**
* **Reduce the risk to others.**

**The earlier a concern is raised the easier and sooner it is for the setting to take action.**

Lympstone preschool is committed to the highest possible standards and recognises that it’s 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 speaking up may 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 the suspicion of malpractice. The Public Interests 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 rather than overlooking a problem.

The aim of this policy and associated procedures is to establish an internal procedure that will encourage and enable staff, volunteers, and students to raise any 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 action/behaviours of other staff, volunteers, or students, or about something that is perceived as:

* Unlawful.
* Failing to comply with the settings policy and procedure.
* Poor practice.
* Improper conduct.

This policy is based on the following principles:

* All staff, volunteers, or students have the right to raise concerns about perceived unacceptable practice and behaviour.
* The responsibility for expressing concerns about unacceptable practice or behaviour rests with all staff, volunteers, and students.
* 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 it’s 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 first.
* Appropriate advice and support will be made available to staff, volunteers and students 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, volunteers, and students 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, volunteers, and students are reassured they will be protected from reprisals or victimisation for whistleblowing in good faith.
* Staff, volunteers, and students can take the matter further if they are dissatisfied with the setting response and seek external advice and guidance.
* Issues raised and addressed via other policies and procedures 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.

To raise a concern staff, volunteers, or students should do so with the managers or management 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 reason the individual is concerned about the situation.

Anyone who feels unable to put concerns in writing, can telephone either one of the managers or a member of the management committee.

The action taken in any investigation 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. The appropriate person will investigate thoroughly, ensuring that a written response can be provided within 10 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 in the time scale 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 pride 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 and allegations that raise issues that fall within the scope of other policies and procedures will be address as per those procedures. Some concerns may be resolved at this initial stage, by agreed action or an explanation regarding the concern, without need for further investigation. If you do not feel that the complaint has been dealt with effectively or you still have concern, you have the right to refer your concerns to Ofsted.

If an allegation is made against a staff member or volunteer, the following action will be taken:

* The setting will ensure the immediate safety of the children.
* The setting will not investigate and immediately contact the Early Years Named Senior Officer or if not available the Local Authority Designated Officer (LADO)
* The setting will notify Ofsted of a significant incident.
* The Early Years Named Senior Officer will notify the LADO who will decide if it could be a child protection concern.
* If the LADO decides that there is a child protection concern, external/internal agencies e.g., police will be informed by the LADO and the setting will act upon the advice given to ensure that any investigation is not jeopardised.
* It may be necessary for the employer to suspend the alleged perpetrator. Suspension is a neutral act to allow a thorough and fair investigation.
* If it is agreed that there is not a child protection concern, the setting will investigate further and feed back the outcome of the investigation to the Early Years Named Senior Officer and Ofsted.

**Useful numbers and contacts**

In the first instance report to Kate Grabke DSL or if unavailable Charley Martyn Deputy DSL

Devon Safeguarding Board Child Protection Procedures must be followed to safeguard children especially if in immediate danger.

[www.devonsafeguardingchildren.org](http://www.devonsafeguardingchildren.org)

**MASH (Multi Agency Safeguarding Hub)** 0345 155 1071

or email: mashsecure@devon.gcsx.gov.uk

 **Ofsted** – contact can be made as follows:

Dedicated whistleblowing hotline - 0300 123 4666 (Monday to Friday from 8.00am to 6.00pm).

By email to the whistleblowing team – General cie@ofsted.gov.uk. 3

By post: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

The hotline can be used by anybody who has a whistleblowing concern about services or practice in any local authority, or in a care or educational setting regulated and inspected by Ofsted, including: employees and former employees agency staff currently and formerly working within care or educational settings voluntary workers in care or educational settings

**LADO –** 01392 384964

Agreed by Lympstone Preschool Committee Date: 25/09/2023