06.14 Whistle Blowing Policy

It is important to Rainbow Pre-school (Wickford) that any fraud, misconduct or wrongdoing by employees, or people engaged in the organisation's business, is reported and properly dealt with. We therefore encourage all individuals to raise any concerns that they may have about the conduct of others in the early years setting or the way in which the early years setting is run.

We recognise that effective and honest communication is essential if malpractice is to be effectively dealt with and the organisation's success ensured.

Whistleblowing relates to all those who work with, or within, the early years setting, who may from time-to-time think that they need to raise with someone in confidence certain issues relating to the organisation.

Whistleblowing is separate from the grievance procedure. If you have a complaint about your own personal circumstances, you should use the normal grievance procedure. If you have a concern about malpractice within the organisation, then you should use the procedure outlined below.

Procedure

- Report any concerns to the Pre-school Leader. If this is not possible, then report your concerns to the Committee.
- All employees and those involved with the early years setting should be aware of the importance of preventing and eliminating wrongdoing within the organisation. You should be watchful for illegal, inappropriate or unethical conduct and report anything of that nature that you become aware of.
- You should be watchful and report any wrongdoing. Wrongdoing could include:
  - abuse of a child or vulnerable person
  - a child, parent, employee or volunteer being put at risk of harm
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  - the health and safety of any individual has been, is being or is likely to be endangered
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  - unsafe working practices

- a failure to comply with statutory or legal obligations
- a criminal offence which has or is about to be committed
- the use of unsafe equipment
- falsification of financial records
- bribery and/or corruption which has taken or is about to take place
- covering up wrongdoing or malpractice

- Any matter you raise under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation will be reported back to you.
- You will not be victimised for raising a matter under this procedure. This means that your continued employment and opportunities for future promotion or training will not be prejudiced because you have raised a legitimate concern.
- Victimisation of an individual for raising a qualifying disclosure (something that it is in the public interest to disclose) will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the early years setting's disciplinary procedure will be used, in addition to any appropriate external measures.
- If you make a malicious, vexatious or false allegation then this will be considered a disciplinary offence and disciplinary action will be taken against you.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If you are told not to raise or pursue any concern, even by a person in authority such as the Pre-school Leader, you should not agree to remain silent. In this event you should report the matter to the Committee.

How will the concern be dealt with?

There are 3 stages to raising concerns as follows:

1. If staff wish to raise or discuss any issues which might fall into the above categories, they should normally raise this issue with the Pre-school Lead Designated Person.

2. Staff who are unable to raise the issue with their Pre-school Lead/Designated Person should raise the issue with the Deputy Pre-school Lead/Deputy Designated Person.
3. If staff are still concerned after the investigation, or the matter is so serious that they cannot discuss it with the Pre-school Lead, they should raise the matter with the Management Committee

The management committee will acknowledge the concern in writing, within 10 days, and give an indication of how the concern will/or has been dealt with. If it has not been dealt with then an indication of how long the procedure will take needs to be included.

Ultimately, if an issue cannot be resolved and the member of staff believes a child remains at risk because the setting or the local authority have not responded appropriately,

the NSPCC have introduced a whistle-blowing helpline 0800 028 0285 for professionals who believe that:

- their own or another employer will cover up the concern
- they will be treated unfairly by their own employer for complaining
- if they have already told their own employer and they have not responded

Initial Enquiries

As part of the initial enquiries the member of the management committee may meet with the employee to gather further information or clarify certain details. Employees are expected to co-operate fully with the investigation and disclose all relevant information, then the management committee should approach them and try to persuade them to share their concerns.

Possible outcome of initial enquiries

Depending on the nature of the concern, and the evidence found, possible

outcomes include:

- Unable to investigate due to anonymous report and not enough information to proceed
- If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the person who made the disclosure. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken against the informant.
- Where there is believed to be grounds for concern then further investigation will be carried out.

Further investigations

Dependent on the nature of the concern e.g. suspected fraud, theft, serious malpractice etc., the management committee may investigate further.

Rainbow Pre-school has in place a complaints procedure for further guidance as to what procedures to follow. This policy does NOT replace the complaints procedure. Rainbow Pre-school will respond to any concerns using the guidelines within this policy and the complaints policy and procedure. Rainbow hopes this will satisfy the relevant parties especially with regard to any action taken. If this does not answer the concerns, and it is felt that it is right to take the matter further the following are possible contact points:

Public Concern at Work (tel: 02074046609) a registered charity whose services are free and strictly confidential.

Ofsted – www.ofsted.gov.uk

Your local Citizens Advice Bureau

The police

If the matter is taken outside of Rainbow Pre-school, it should be ensured that no confidential information is disclosed. Please check our confidentiality policy for guidance.