

## **Safeguarding and Welfare Requirement: Child Protection**

The safeguarding policy and procedures must include an explanation of the action to be taken in the event of an allegation being made against a member of staff, and cover the use of mobile phones and cameras in the setting.

## **Whistle Blowing**

### **Policy Statement**

#### **What is Whistle Blowing?**

Whistle blowing is the term that is used when someone who works with or for an organisation, wishes to raise concerns about malpractice in the organisation and the cover up of any of these.

Whistle blowing is very different from a complaint or a grievance. It only applies when you have no vested interest and are acting as a witness to misconduct or malpractice that you have observed. Staffs have an individual responsibility and right to raise matters of concern regarding poor or insufficient practice at work. The staffs priority is the well-being and safety of all children attending the setting. This takes priority over any loyalty towards work colleagues.

#### **This Policy is intended to:**

- Enable and encourage individuals to raise genuine and legitimate concerns.
- To support staff to take an active role in the elimination of poor or insufficient practices.
- Investigate any concerns raised appropriately and confidentially.
- Ensure protection to those making the complaint against any form of retaliation or victimisation.

### **Principles**

This policy is based on the following fundamental principles:

- All staff, students and volunteers have the right to raise concerns about perceived unacceptable practice or behaviour.
- The responsibility for expressing concerns about unacceptable practice or behaviour rests with all staff, students and volunteers.
- 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 its best to protect a whistle blowers identity when they raise a concern and does not want their 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 without their consent, although this will be discussed with the worker first.

- Appropriate advice and support will be made available to staff, students and volunteers 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, which may be considered a disciplinary offence.

The Designated Safeguarding Officer (DSO) will act promptly and investigate thoroughly, all concerns raised in accordance with this policy, and appropriate action will be taken.

### **Procedures**

Procedures for reporting and investigating 'whistle blowing' concerns have been developed to ensure that:

- Staff or volunteers 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 and volunteers are reassured that they will be protected from reprisals or victimisation for whistle blowing in good faith.
- Staff and volunteers can take the matter further if they are dissatisfied with the setting response and seek external advice and guidance.
- Issues raised are addressed via other procedures and policies as appropriate, e.g. safeguarding and child protection policy, allegations against staff working in the setting, grievance, disciplinary, health and safety.
- Appropriate records are maintained for monitoring purposes.

### **Raising a Concern**

Staff should raise concerns with their manager. Concerns should be raised in writing and include:

- reference to the fact that it is a whistle blowing disclosure
- the back ground and history of the concerns
- names, dates and places (where possible).
- the reasons why the person is concerned about the situation.

Staff, who feel unable to put their concerns in writing, can telephone or meet with their manager.

You will be required to demonstrate that there is sufficient grounds for your concerns. Although you will not be expected to prove the truth about your allegations.

### **Who should you contact?**

You should contact one of the following people in confidence:

<b>Lucy Hustler</b>
<b>Joanna Radzewicz</b>

## **Investigation**

The action taken will depend on the nature of the concern. All matters raised (with the exception of allegations of abuse against a staff member / volunteer, or criminal or unlawful activity) will be investigated internally.

The appropriate person/s will investigate the concerns thoroughly, ensuring that a written response can be provided within ten working days.

The response should include details of how the matter was investigated, conclusions drawn from the investigation, and whom to contact should the worker be unhappy with the response and wish to raise the matter.

If the investigation cannot be completed within the timescale above, the worker should receive a response that indicates:

- progress to date
- how the matter is being dealt with
- how long it will take to provide 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 or allegations that raise issues that fall within the scope of other policies/procedures, will be addresses under those procedures.

Some concerns may be resolved at this stage simply, by agreed action or an explanation regarding the concern, without the need for further investigation.

If you do not feel that the complaint has been dealt with effectively or you still have concerns, you have a right to refer your concerns to Ofsted.

Normally, you should raise your concerns internally with your named manager. If however you feel unable to do this (perhaps because your concern relates to them), you should raise your concerns with the Local Authority Designated Officer or the Ofsted whistle blowing Team. (Contact details below).

## **Allegations of abuse against adults who work or volunteer in the setting**

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 immediately contact the Local Authority Designated Officer (LADO).
- The setting will notify Ofsted of a significant incident.
- The manager will notify the LADO, who will decide if it could be a child protection case.
- If the LADO decides the matter is a child protection case, external agencies (e.g. police) will be informed by the LADO and the setting will act upon advice given to ensure that any investigation is not jeopardised.
- It may be necessary for the employer to suspend the alleged perpetrator on full pay during the investigation. Suspension is a neutral act to allow a thorough and fair investigation.
- If it is agreed that the matter is not a child protection case, the setting will investigate the matter and feed back the outcome to the LADO and Ofsted...

## **Untrue Allegations**

If an allegation is made in good faith but it is not confirmed by the investigation, no action will be taken against the complainant. However if an allegation is proved to be malicious and/or completely unfounded, action may be taken against the person responsible.

## **Useful Contacts**

OFSTED Whistleblower Team contact details are as follows:

Tel: 0300 123 3155

Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)

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

LADO telephone number is: 020 7361 3013

This policy was adopted at a meeting of	Ringrose Kindergarten	(name of provider)
Held on	<hr/> October 2017	(date)
Date to be reviewed	<hr/> October 2018	(date)
Signed on behalf of the management committee	<hr/>	
Name of signatory	<hr/> Lucy Hustler Parker	
Role of signatory (e.g. chair/owner)	<hr/> Owner	

[Whistle Blowing](#)