

22. Whistle Blowing Procedure

Version number	Dates produced & approved	Reason for production & revision	Author	Locations	Proposed next review date
V1.0	Apr 2012	First adopted	Cttee	Dropbox.com Website	
V2.0	Oct 2015	Reviewed & updated	K Jones	Dropbox.com Website	Oct 2016
V3.0	Sept 2017	Reviewed, updated & version controlled	K Coupe & A Hall	Dropbox.com Website	2019/20
V4.0	Dec 2020	Reviewed & updated	E Roberts	Dropbox.com Website	Dec 2022
V5-0	25 Apr 2022	Updated as follows: • reference to “Guidance for safer working practice for those working with children & young people in education settings” v2 May 2019 and associated Addendum dated April 2020; • inclusion of list of associated policies & procedures as per GSCP section 175/157 safeguarding audit 2022	K Coupe & J Powell	Dropbox.com Website	May 2024

Statement of Intent

North Nibley Pre-school is committed to the highest possible standards of openness, probity and accountability. In line with this commitment the setting believes that it is important that any fraud, misconduct or wrong doing by employees, volunteers or people engaged in the organisation’s business, is reported and properly dealt with. We encourage all individuals to raise any concerns they have about the conduct of others in the setting, or how the setting is run. We realise that effective and honest communication is essential for malpractice to be efficiently dealt with and that to not do so may result in charges of serious neglect on the part of the setting/staff where the welfare of children may be at risk..

Whistle blowing relates to all those who work with or within the setting, it gives individuals an opportunity to raise in confidence any issues or concerns they may have that relates to the organisation, it is not a grievance. If the issue of concern affects your own personal circumstances then the setting’s grievance procedures should be followed.

Definition

Whistleblowing is the mechanism by which staff, committee members and parents/carers can voice their concerns, made in good faith, without fear of repercussion. Staff who use whistle blowing procedures will have their employment rights protected¹.

Aim

This policy aims to provide individuals in the workplace with protection from victimisation or punishment where they raise a genuine concern about misconduct or malpractice in the organisation. 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. The Act covers behaviour which amounts to:

- A criminal offence;
- failure to comply with any legal obligation;
- a miscarriage of justice;
- danger to health and safety of an individual and/or environment; and
- deliberate concealment of information about any of the above.

Procedures

- Reports (verbal or written) should be passed on to your line manager, or if you are unable to then it needs to be reported to the Chairperson – particularly if the setting is currently closed. If you are unable to report it to the Chairperson, reports should be made to another member of the Committee and/or the Early Years Team at Gloucestershire County Council².
 - Staff/committee members/parents who wish to make a written report are invited to use the following format:
 - the background history of the concern (giving relevant dates); and
 - the reason why they are particularly concerned about the situation.
- It is the responsibility of all staff to report any illegal, inappropriate or unethical conduct.
- All reports will be fully investigated and you will be informed of the outcome. Confidentiality will be observed.
- Whistle blowing will not lead to victimisation or affect any future promotions.
- Any victimisation will be dealt with through disciplinary procedures.
- If misconduct is uncovered through an investigation, disciplinary procedures will be followed.
- If a report is found to be a malicious or false allegation, disciplinary procedures will be taken against the whistle blower.
- If asked to cover up a wrongdoing, it is itself a disciplinary offence and should not be agreed to even if asked to do so by a manager. This should be reported to a more senior manager, or the Early Years Team at Gloucestershire County Council.

If a concern is raised immediately after it has happens; the easier it becomes to take action. The whistle blower will not be expected to prove beyond doubt the truth of the allegation, but will need to demonstrate to the person contacted that there are reasonable grounds for concern. It could be that the person noticing the issue may wish to consider discussing the concern with a colleague first or may find it easier to raise the matter if there are two (or more) people who have the same experience or concerns. It is also possible to invite a professional

¹ (c23) the Public Interest Disclosure Act 1998

² Tel No: 01452 427224, email: eyservice@gloucestershire.gov.uk

representative or a friend to be present during any meetings or interviews in connection with the concerns that have been raised.

North Nibley Pre-school has in place a complaints procedure³ for further guidance as to what procedures to follow. This policy does NOT replace the complaints procedure.

North Nibley Pre-school will respond to any concerning using the guidelines within this policy and the complaints policy and procedure. North Nibley Pre-school 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:

*Protect (previously known as Public Concern at Work). For whistleblowing advice call 020 030 3117 2520 (*option 1). Protect is a registered charity whose services are free and strictly confidential. [website: www.protect-advice.org.uk]*

- Gloucestershire Early Years team – 01452 427224
- Office for Standards in Education, Children's Services and Skills (Ofsted) (www.ofsted.gov.uk)
- Your local Citizens Advice Bureau
- Your trade union
- The police

If the matter is taken outside North Nibley Pre-school, it should be ensured that no confidential information is disclosed. Please check with our confidentiality and data protection policies⁴ for guidance.

Associated policies and procedures

- No 4 : Safeguarding children and child protection
- No 6 : Complaints procedure
- No 7 : Confidentiality
- No 36 : Data collection and information sharing

³ No 6: Complaints

⁴ No 7 Confidentiality and No 36 Data Collection and Information Sharing