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Safeguarding children, young people and vulnerable adults procedures 06

06.03 Whistleblowing

This policy applies to all those involved with the early years setting, including employees, authorised visitors or work experience students, who should be aware of the importance of preventing and eliminating wrongdoing. We encourage all individuals to be mindful of and report any concerns that they may have about the illegal, inappropriate or unethical conduct of others in the early years setting or the way in which the early years setting is run.

Employees and workers who make public disclosures, generally about wrong doings in the workplace, are commonly referred to as "whistle-blowers".

Whistleblowing is separate from the grievance procedure. If you have a complaint about your own personal circumstances, you should use the normal grievance procedure.

The whistle blowing procedure must be followed in the first instance if:

- Abuse of a child or vulnerable person,
- A child, parent, employee or volunteer being put at risk of harm,
- Unsafe working practices or the health and safety of any individual has been, is being or is likely to be endangered,
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject. This includes non-compliance with policies and procedures, breaches of EYFS and/or registration requirements,
- a criminal offence has been committed, is being committed or is likely to be committed,
- The use of unsafe equipment,
- the working environment has been, is being or is likely to be damaged; _
- A miscarriage of justice, is occurring or likely to occur, _
- Falsification of financial records, _
- _ Bribery and/or corruption which has taken or is about to take place.

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 a manager, you should not agree to

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remain silent. In this event you should report the matter to the Manager or Chair person.

Any concerns should be reported as guickly as possible. 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 lead practitioner/Designated Lead.
- 2. Staff who are unable to raise the issue with the lead practitioner/Designated Lead should raise the issue with the pre-school manager/Designated Officer.
- 3. If staff are still concerned after the investigation, or the matter is so serious that they cannot discuss it with the pre-school manager/Designated officer, they should raise the matter with the Chairperson.

If an employee, volunteer or family member feels the matter cannot be discussed at the Pre-school then you can contact the Pre-school lead Practitioner or Manager via the telephone or email address.

Anonymous allegations

This policy encourages you to put your name to your allegation. Concerns expressed anonymously are less powerful, but they will be considered against the following criteria:

- The seriousness of the issues raised
- The likelihood of confirming the allegation from attributable sources
- The Pre-school's best interests
- The protection of the Pre-school's assets

You should also bear in mind if you do wish to raise a concern anonymously; it would be more difficult for the matter to be investigated and for you to be provided with feedback.

What happens next?

The Designated lead/Designated Officer/Chairperson will follow the procedures set out in

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06.02 Low level concerns and allegations of serious harm or abuse against staff, volunteers or agency staff and the Local Authority Designated Officer (LADO) must be notified of the allegation within 24 hours.

- All employees are legally protected if they make a gualifying disclosure relating to any of • the above points.
- Victimisation of an individual for raising a gualifying disclosure (something that it is in the • public interest to disclose) will be a disciplinary offence.
- Any matter you raise under this procedure will be investigated thoroughly, promptly and • confidentially, and the outcome of the investigation, if you request it, will be reported back to vou.
- No action will be taken against you if the concern proves to be unfounded and was raised in • good faith.
- 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.
- If misconduct is discovered as a result of any investigation under this procedure, the early • years setting disciplinary procedure will be used, in addition to any appropriate external measures.
- If you make a malicious, vexatious, or false allegation, this will be considered to be a • disciplinary offence and disciplinary action will be taken against you.

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, then you can refer to the complaints procedure or Ofsted.

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.

It is not intended that this policy be a substitute for, or an alternative to the settings formal complaints procedure. It is designed to nurture a culture of openness and transparency within the setting, which makes it safe and acceptable for employees and volunteers to raise, in good faith, a concern they may have about misconduct or malpractice.

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