

Early Years Foundation Stage

Whistleblowing Policy

Employees are often the first to realise that there may be something seriously wrong within their setting. However, they may not express their growing concerns because they feel that speaking up would be disloyal to their colleagues. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may be just suspicion of malpractice and wrongdoing at work.

Belton Preschool is committed to the highest possible standards of openness, probity and accountability. In line with this commitment we encourage all employees or others with genuine concerns about any person linked to the nursery and /or others (e.g. Parents/Carers) to come forward and voice their concerns

This policy makes it clear that Belton Pre-school wish to encourage and enable employees and others to raise such concerns with the Manager or Committee of Belton Pre-school rather than overlooking the problem.

This policy aims to:

* Provide avenues for you to raise genuine concerns and receive feedback on any action taken.
* Allows you to take the matter further if you are dissatisfied with the outcome or response
* Reassure that steps will be taken to protect you from reprisals or victimisation or whistleblowing in good faith.

Belton Pre-school have policies and procedures in place to enable you to lodge a grievance relating to staffs own employment, Parent/Carer concerns or complaints, and issues raised by outside agencies. The whistleblowing policy is intended to cover genuine concerns that fall outside the scope of other procedures and policies that Belton Pre-school uphold.

That concern may be about something that:

* Is against the policies and procedures of Belton Pre-school.
* Falls below established standards of practice
* Amounts to improper conduct
* Is a Health and Safety risk, in risks to the public as well as children, other colleagues, Parents/Carers and others.
* Contributes to a safeguarding risk involving children in the care of Belton Pre-school.
* The procedure will be communicated to all employees as well as parents/carers, students and others.

**HARASSMENT OR VICTIMISATION**

Belton Pre-school recognise that the decision to report a concern can be a difficult one to make not least because of fear of reprisal. Belton Pre-school will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. However, if you feel you have suffered harassment either directly or indirectly as a result of raising a concern, you should refer to the Complaints policy.

This does not mean that if you are already the subject of disciplinary or redundancy procedures that those procedures will be halted as a result of your whistleblowing. This applies to Parent/Carers of the setting who then decide to seek alternative childcare.

**CONFIDENTIALITY**

Belton Pre-school will do its best to protect your identity when you raise a concern. However it must be appreciated that, in the interests of natural justice, any investigation process may reveal the source of the information and a statement by you may be required as part of the evidence.

**ANONYMOUS ALLEGATIONS**

You are strongly encouraged to put your name to allegations. Concerns expressed anonymously are much less powerful. Anonymous allegations will be considered and any action taken at the discretion of Belton Pre-school and in conjunction with the relevant agencies where appropriate.

In exercising this discretion, the following factors will be taken into account considering how to deal with any allegations:

* The seriousness of the issues raised;
* The credibility of the allegation;
* The likelihood of confirming the allegation from attributable sources.

**MALICIOUS OR VEXATIOUS ALLEGATIONS – STAFF**

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If however you make a malicious or vexatious allegation, disciplinary action may be taken against you in accordance with Belton Pre-school procedures.

**HOW TO RAISE A CONCERN –EMPLOYEES**

As a first step you should normally raise your concern with the Manager or Deputy. This depends, however, on the seriousness and sensitivity of the issues involved and who you may think may be involved in the malpractice. i.e if you believe your manager is involved you should approach the Trustees of Belton Pre-school.

With specific regard to safeguarding issues that may involve a member of staff, you should initially consult with the Manager of Belton Pre-school. If you suspect that they may be related to the issue you should contact the Chair of Committee. If involvement of Committee / Trustees is suspected, then you should contact the relevant childcare officer attached to the setting. You can also contact Children’s Social Services or the Early Years Safeguarding Officer for Rutland. All contact numbers are available in this policy.

Concerns are better raised in writing. You are advised to set out background and history of your concerns, giving names, dates and places, where possible, and the reason why you are particularly concerned about the situation.

The earlier you express your concerns the easier it is for Belton Preschool, Social services or the relevant childcare officer attached to the setting to take action.

Although you are not expected to prove the truth of an allegation you need to demonstrate to the person contacted that there are sufficient grounds for initial enquiries to be made.

**HOW BELTON PRE- SCHOOL WILL RESPOND.**

The action taken by Belton Pre-school will depend on the nature of the concern. The matters raised may:

* Be investigated internally
* Be referred to the Police

Allegations referred directly to the Childcare Officer or Social Services will be dealt with in accordance with their policies and procedures. Any person, who is subject of an allegation, should at the appropriate time be given details of the allegation in order to respond.

In order to protect individuals, initial enquiries will be made to whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (i.e. Safeguarding or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be solved by agreed actions without the need for an investigation. The following process will be followed in the event of a complaint:

* Belton Pre-school will ensure that a letter is sent to confirm the receipt of the complaint.
* The complaint will be fully investigated and within 5 days of when the complaint was first received. Belton Pre-school endeavour to investigate all complaints in a non-discriminatory manner.
* A letter will be sent detailing how Belton Pre-school has dealt with the complaint.

**HOW THE MATTER CAN BE TAKEN FURTHER**

If the complaint has not been dealt with in the manner which is satisfactory to the employee, parent/carer or others involved, they can then contact OFSTED directly at the following address.

Early Years OFSTED

The National Business Unit

Ofsted

Piccadilly Gate

Store Street

Manchester

M1 2WD

TEL: 0300 123 1231

Web: [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

By registering a formal complaint with Ofsted an officer in, most cases will be sent to the Pre-school to carry out a further investigation. If applicable a report would then be sent with action points.

**CONTACT DETAILS– Safeguarding Issues.**

Local Authority Designated Officer (LADO)

The Local Authority Designated Officer (LADO) handles any allegations made against adults who work with children. Further guidelines can be found in the publication Dealing with Allegations of Abuse against Teachers and Other Staff (July 2011).

Local allegations procedures are contained in the Leicestershire & Rutland Local Safeguarding Children’s Board (LSCB) Policies and Procedures at Chapter 7.2.

The LADO responsibility sits with the Quality Assurance Manager within the Safeguarding Team in Rutland County Council. The Senior Manager for LADO in this organisation is the Head of Safeguarding.

The role of the LADO is set out in Working Together to Safeguard Children (2015) and is governed by the Authorities duties under section 11 of the Children Act 2004 and MKSCB Inter-Agency Policy and Procedures (Ch 2.8). This guidance outlines procedures for managing allegations against people who work with children who are paid, unpaid, volunteers, casual, agency or anyone self employed.

Contacting the LADO

The LADO must be contacted within one working day in respect of all cases in which it is alleged that a person who works with children has:

Behaved in a way that has harmed, or may have harmed a child

Possibly committed a criminal offence against or related to a child

Behaved towards a child or children in a way that indicates they may pose a risk of harm to children

Please call 01572 720 913 to contact the Rutland LADO.

You can also email the Rutland LADO on safeguardingunit@rutland.gcsx.gov.uk

There may be up to three strands in the consideration of an allegation:

A police investigation of a possible criminal offence;

Enquiries and assessment by children’s social care about whether a child is in need of protection or in need of services

Consideration by an employer of disciplinary action in respect of the individual.

**Responsibilities**

The LADO is responsible for:

Providing advice, information and guidance to employers and voluntary organisations around allegations and concerns regarding paid and unpaid workers.

Managing and overseeing individual cases from all partner agencies.

Ensuring the child’s voice is heard and that they are safeguarded.

Ensuring there is a consistent, fair and thorough process for all adults working with children and young people against whom an allegation is made.

Monitoring the progress of cases to ensure they are dealt with as quickly as possible.

Recommending a referral and chairing the strategy meeting in cases where the allegation requires investigation by police and/or social care.

The LADO is involved from the initial phase of the allegation through to the conclusion of the case. The LADO is available to discuss any concerns and to assist you in deciding whether you need to make a referral and/or take any immediate management action to protect a child.

In Rutland the LADO is the Quality Assurance manager and in their absence is the Head of Service.