# STRATTON PLAYGROUP

# 1 Whistle Blowing policy & procedures

# Whistle blowing is when a member of staff or committee knows, or suspects, that there is some wrong doing occurring within our playgroup and alerts the Designated Safeguarding Lead (DSL) or Deputy Designated Safeguarding Lead or the relevant authority accordingly.

The Public Interest Disclosure Act 1998 was introduced to provide protection for employees who ‘blow the whistle’ on their employers where the employee has a reasonable belief that his/her disclosure tends to show one or more of the following offences or breaches:

* a criminal offence
* the breach of legal obligation
* a miscarriage of justice
* a danger to the health and safety of an individual
* damage to the environment
* deliberately covering up information tending to show any of the above.

**Statement**

**At Stratton Playgroup, the staffs’ priority is the well-being and safety of all children attending this setting; and this takes priority over any loyalty towards work colleagues.**

We are committed to the highest possible standards of honesty, accountability and openness. In line with that commitment we encourage parents, employees and others with any serious concerns about any aspect of the settings operations to come forward and voice those concerns. Obviously in certain cases we may have to proceed on a confidential basis. Any member of staff of this setting can follow this policy without fears of reprisals.

This Whistle Blowing Policy is in place to:

* encourage and enable any member of staff to raise serious concerns within the setting other than overlooking a problem or blowing the whistle outside;
* 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.

We have other policies and procedures in place to cover grievance and complaints. This whistle blowing policy is intended to complement those, covering any concerns that fall outside their scope.

**Procedure**

1. At Stratton Playgroup, any member of staff or volunteer who has genuine and legitimate concerns about possible abuse, theft, fraud or other misconduct; has the individual responsibility and right to bring the matter to the attention of the DSL or Deputy DSL. The member of staff or volunteer with the concern must inform, as appropriate:

* the Health & Safety Executive
* the Charity Commission
* the Local Authority Designated Officer (LADO)

We also report any such alleged incident to Ofsted as soon as reasonably practical, but within 14 days of any referrals. We are aware that it is an offence not to do this.

We understand that it is not our place to investigate any allegations but to contact the relevant outside agency in all circumstances.

2) The relevant outside agencies (as above) will first of all decide whether the matter would be better dealt with internally under the grievance, disciplinary or capability procedures, where the complaint is personal to the complainant. If it is not a matter to be dealt with through the grievance, disciplinary or capability procedures, the relevant outside agencies (as above) will investigate the complaint and if appropriate will take every possible step to maintain the anonymity of the member of staff who has made the allegation of wrongdoing.

3) The investigating outside agencies may involve the person reporting the matter being required to give further assistance by way of clarification or further evidence to support the complaint.

4) The member of staff who has raised the issue of a wrongdoing may be kept informed of any investigation that is taking place. The member of staff will also be informed of the outcome of the investigation whilst protecting the confidentiality of others involved.

5) It might not always be appropriate to tell the member of staff the detail of any action that is taken, but the member of staff may be informed if action is taken.

6) If the outcome of the enquiry does not satisfy the complainant, then he/she will have the right to raise the matter with a relevant higher authority.

The member of staff must

1. make the disclosure in good faith,
2. reasonably believe that the information and any allegations are substantially true.

There will be no negative repercussions for anyone invoking the whistle blowing procedure even if the issue proves not to be well-founded, providing the ‘whistle blower’ adheres to points A) and B).

Normally, it is a matter covered under the list above that will be raised via the whistle blowing procedure. However, a member of staff may have a concern which would normally be addressed via the grievance, disciplinary or capability procedures but because of the nature of the concern, the member of staff may not feel able to raise the concern via this route, then a whistle blowing procedure provides a useful alternative.

The following situations may result in disciplinary action:

* any member of staff with knowledge of abuse, theft or fraud who does not report this,
* any member of staff who makes a malicious complaint or abuses this policy and procedure
* any member of staff to stop or discourage another staff member from coming forward to express a serious concern
* any member of staff who criticises or victimises a staff member after a concern has been expressed.

**Confidentiality**

The DSL or Deputy DSL will respect and protect a person’s identity when a concern is raised, however in certain circumstances identities will have to be revealed to the person complained against and the complainant may be asked to provide written evidence in support of the complaint.

If a person’s identity is to be disclosed, he or she will be informed before the disclosure and given the reasons why this was necessary.

Once a concern has been raised the DSL or Deputy DSL will expect the complainant not to discuss the complaint with any other person, inside or outside the setting.

**Anonymous Complaints**

If a complaint is made anonymously, these cases are a lot harder to investigate and hold less power.

**Low Level Concerns**

For **all** allegations, also see our policy - **1.7 Low level concerns and allegations of serious harm or abuse against staff or volunteers.**

This policy and procedure was adopted at an open committee meeting of Stratton Playgroup

Held on

**28/02/2023**

Signed on behalf of the committee

Contact details for the LADO:

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| --- | --- | --- | --- |
| **01872 326536** | *(phone number)* | **lado@cornwall.gov.uk** | *(email)* |

How an allegation may relate to a person who works with children (as stated on the LADO website) – go to: [**https://www.cornwall.gov.uk/lado**](https://www.cornwall.gov.uk/lado)

You can contact Ofsted’s Whistle Blower Hotline in three ways:

* Call them on 0300 123 3155 (Monday to Friday from 8.00am to 6.00pm).
* Email at: whistleblowing@ofsted.gov.uk.
* Write to them at: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD