

# Flying Start Preschool

## WHISTLE BLOWING POLICY

The whistle blowing procedure aims to help and protect both staff and children. By following the procedure you are acting to:

- Prevent a problem getting worse,
- Safeguard children and young people, and
- Reduce the potential risks to others.

The earlier you raise a concern, the easier and sooner it is possible for the setting to take action

### **Introduction**

Flying Start Preschool is committed to the highest possible standards and recognises that its staff, students and volunteers are often the first to realise that there may be something wrong within the setting. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or they may fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The **Public Interest Disclosure Act 1998** protects workers who raise concerns from victimisation or harassment. In accordance with that Act and its commitment to the highest standards of service delivery, the setting actively encourages its workers with serious concerns about any aspect of the setting's practice or any adult's, volunteer's or student's conduct to come forward and voice those concerns, in confidence, within the setting rather than overlooking a problem.

### **Objective**

The aim of this policy and associated procedures is to establish an internal procedure that will encourage and enable staff, students and volunteers to raise serious concerns about any aspect of the setting's practice, (which do not meet the criteria for being dealt with as a complaint or grievance), in confidence and without fear of reprisals, to ensure that the setting continues to work within best practice and safeguard children and young people.

Concerns that should be raised via the Whistle Blowing Policy may be in relation to the actions/behaviours of other staff, students or volunteers, or about something that is perceived as:

- Unlawful
- Failing to comply with the setting's policy and procedures
- Poor practice
- Improper conduct.

# Flying Start Preschool

## 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 blower's identity when they raise a concern and do 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.
- If a member of staff feels unable to discuss their concerns with a manager, DSL or owner they then should refer the matter to **OFSTED** and can ring the **Whistle Blowing Hotline: - 0300 123 3155**

## 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.

# Flying Start Preschool

- Issues raised are addressed via other procedures and policies as appropriate, e.g. safeguarding policy, allegations against an adult working in a setting, grievance, disciplinary, health and safety.
- Appropriate records are maintained for monitoring purposes.

Parents are encouraged to discuss any concerns that they may have with us, alternatively, they can discuss them with OFSTED – see COMPLAINTS POLICY.

## Raising a Concern

Staff should raise concerns with their Manager, Sarah Maynard - the Designated Safeguarding Lead (DSL) or Sam Smith– Deputy Manager and Deputy Designated Safeguarding Lead (DDSL) Concerns should be raised in writing and include:

- Reference to the fact that it is a whistle-blowing disclosure
- The background and history of the concerns
- Names, dates and places (where possible)
- The reasons why the worker is concerned about the situation.

Staff, who feel unable to put concerns in writing, can telephone or meet the managers, DSL's or the owner, Sarah Maynard.

## Who should you contact?

You should contact one of the following people in confidence:

**Sarah Maynard** – Owner/Manager/DSL

**Sam Smith** - Deputy Manager DDSL

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## 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.

# Flying Start Preschool

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 addressed under those procedures.

Some concerns may be resolved at this initial 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 further concerns, you have a right to refer your concerns to Ofsted.

## **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 allegation will be made either to the Senior Management at Flying Start Preschool or directly to the Surrey Children's Single Point of Access (SPA)
- If it is decided that there is a child protection concern, SPA will advise on the next course of action – refer to '*Concerns about a Child flow-chart*'.
- The setting and/or SPA will contact the Local Authority Designated Officer (LADO) within 1 working day of the alleged behaviour. Refer to '*Allegation/Concerns Against Staff Child Protection Process*'.
- The setting will notify Ofsted of a significant incident.
- If the LADO decides the matter is a child protection case SPA will be informed by the LADO and the setting will act upon the advice given to ensure that any investigation is not jeopardised.
- It may be necessary for the employer to suspend the person. Suspension is a neutral act to allow a thorough and fair investigation.
- If it is agreed with the LADO that the matter is not a child protection case, the setting will investigate the matter and feedback the outcome of the investigation to the LADO and Ofsted

Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, they should use the other channels open to them:

**NSPCC whistleblowing advice line is available.** Staff can call 0800 0280285 – 08:00 to 20:00, Monday to Friday and 09:00 to 18:00 at weekends. The email address is:

[help@nspcc.org.uk](mailto:help@nspcc.org.uk) . Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.

Ofsted provides guidance on how to make complaints about a provider:

<https://www.gov.uk/government/organisations/ofsted/about/complaints-procedure>

General guidance on whistleblowing can be found via: [Whistleblowing for employees.](#)

# Flying Start Preschool

## Useful contacts

Surrey Children's Single Point of Access (CSPA)	<b>0300 470 9100</b> (Mon-Fri 9am-5pm)
CSPA Emergency Duty Team	<b>01483 517898</b> (5pm-9am Weekends & Bank holidays)
Local Authority Designated officer (LADO) Option 3. LADO	<b>0300 123 1650</b> Option 3
Ofsted General Helpline	<b>0300 123 1231</b>
Ofsted Whistleblower hotline	<b>0300 123 3155</b>
Public concern at work (PCaW Whistle-blowing charity) helpline@pcaw.co.uk	<b>0207 404 6609</b>

**This Policy was adopted on: Sep 25**

**Signed: Sarah Maynard**