Whistle Blowing Policy

Whistleblowing is the name given to the act of the disclosure of information to the employer or the relevant authority by an individual who knows, or suspects, that the Preschool, or members of the preschool are responsible for or taken part in some wrongdoing.

Those making qualifying disclosures are protected against dismissal or detriment by The Public Interest Disclosure Act 1998.

Qualifying disclosures
Certain disclosures are prescribed by law as “qualifying disclosures”. A “qualifying disclosure” means a disclosure of information that the employee genuinely and reasonably believes is in the public interest and shows that the Pre School has committed a “relevant failure” by:

- committing a criminal offence
- failing to comply with a legal obligation
- a miscarriage of justice
- endangering the health and safety of an individual
- environmental damage or
- concealing any information relating to the above.

These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen. The Management will take any concerns that you may raise relating to the above matters very seriously.

Employees must reasonably believe that the disclosure is “in the public interest”. We encourage you to use the procedure to raise any such concerns.

If an allegation of child abuse has been made against a member of staff, the Manager or Trustee will contact the Local Authority Designated Officer (LADO) within one working day for advice on how to proceed. All queries relating to the LADO be sent to LADO@norfolk.gov.uk.
If you are unsure whether to contact the LADO, you can call them on 0344 800 8020.

The Role of the LADO is to manage allegations made against adults who work or volunteer with children, 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 a child, 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 which indicates they may pose a risk of harm to children
- Behaved in a way that indicates they may not be suitable to work with children

The LADO:

- Manages and oversees individual cases ensuring independent scrutiny
- Liaises with police and other agencies and ensures the appropriate agencies are involved in the investigation
- Ensures that child protection procedures are initiated where the child is considered to be at risk of significant harm
- Provides advice and guidance to employers in relation to the adult's suitability to remaining in post over the course of the investigation, considering risk assessments, completing investigations, proceeding with disciplinary procedures
- Ensures issues of sharing information with parents and other relevant individuals and organisations are considered
- Monitors progress of investigations to ensure timely responses

Any concerns about the safety of a child must be reported to the Police and CADS (Children's Advice and Duty Service)
https://www.norfolk.gov.uk/article/78919/Professional-request-for-support-form

Should the concern not meet the requirement to be a qualifying disclosure, you should raise this under the Preschool's grievance policy. Where a concern is raised under the whistleblowing policy where it is not appropriate to do so, i.e. it relates to a personal grievance, the receiving manager will confirm that the matter will be addressed under the grievance policy.

The procedure

In the first instance you should report any concerns you may have to the manager or where the concern relates to the manager or it is not appropriate to make the report to the manager it should be the Chair of Trustees hannah772@msn.com (Hannah King) All concerns reported will be treated in the utmost confidence. You may submit your concerns in any format. You may be asked to confirm any verbal concerns in writing or to confirm a written record of a verbal report.

If you do not report your concerns to the Chair of Trustees, you should take them direct to the appropriate organisation or regulatory body with authority for that area.
If you have concerns about an adult working with a child under the age of 18 that you would like to report, you can view the LADO Guidance and consultation documents:
https://norfolklscp.org.uk/people-working-with-children/how-to-raise-a-concern

All queries or concerns relating to the LADO should follow these procedures and be sent to LADO@norfolk.gov.uk

Following receipt of a disclosure made under this policy, an investigation meeting will be held with the employee. The purpose of this meeting is to gather as much information as possible from the employee regarding their concerns, including whether they have any supporting evidence or can identify any witnesses.

After this meeting, the investigating manager will commence a full investigation into the concerns raised. The investigation will aim to gather all relevant information including relevant documentary evidence or witness statements. Once the investigation is complete, the investigation manager will write to the employee confirming the outcome.
If the employee is not satisfied with the explanation or outcome, they may raise the matter with the appropriate official organisation or regulatory body. Alternatively, employees may raise a formal complaint under the Preschool's grievance policy.

Formal action
Should formal action be required as a result of any disclosure made under this policy, this action will be carried out in accordance with the applicable internal policy. Any potential sanctions imposed will be fair and reasonable in line with the relevant policy.

Protection against detrimental treatment
All employees who raise matters of concern under this policy are protected against detrimental treatment, up to and including dismissal, because they have made a disclosure, unless it is proven that a disclosure has been made in bad faith and/or with malicious intent.
Bullying, harassment or any other detrimental treatment afforded to a colleague who has made a qualifying disclosure is unacceptable. Anyone found to have acted in such a manner will be subject to disciplinary action.

Employees can use the confidential, independent helpline set up by Public Concern at Work on 0207 404 6609 for independent advice at any stage of the proceedings.

Parents or carers can make their own complaint directly through contact with OFSTED as Ofsted's Chief Inspector is a **prescribed person** – this means they are listed in legislation as someone who you can whistle blow to about children's social care services.
Email enquiries@ofsted.gov.uk or call 0300 123 1231.

Further information can be found on the NSPCC website
https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/