

Safeguarding and Welfare Requirement: Child Protection

Providers must have and implement a policy, and procedures, to safeguard children.

1.8 Confidential Reporting Policy (Whistle Blowing Policy)



Purpose

- All organisations face the risk of things going wrong or of unknowingly harbouring malpractice. At Winterbourne Early Years Centre we believe we have a duty to identify such situations and take the appropriate measures to remedy the situation.
- By encouraging a culture of openness the centre encourages you to raise issues which concern you at work. You may be worried that by reporting such issues you would be opening yourself up to victimisation or detriment, or risking your job security; that is quite understandable. However, all employees enjoy statutory protection, if they raise concerns in the right way. This policy is designed to give you that opportunity. Provided you are acting in good faith it does not matter if you are mistaken. There is no question of you having to prove anything.
- If there is anything which you think the Centre Manager or Committee should know about please use the procedure outlined in this policy. By knowing about malpractice at an early stage the Centre stands a good chance of taking the necessary steps to safeguard the interests of all staff and protect the organisation. In short, please do not hesitate to “blow the whistle” on malpractice

Scope

- The Confidential Reporting Policy (Whistle Blowing Policy) applies to all children, parents and carers, early years practitioners, volunteers, students, committee members, visitors, contractors and community users. This list is not to be considered exhaustive.

Roles and responsibilities

- The Centre Committee along with the Centre Manager have overall responsibility for ensuring that the Confidential Reporting Policy (Whistle blowing Policy) is managed appropriately in accordance with this agreed procedure.
- The Centre Manager along with Deputy Managers (Greenfield)/Preschool Leader (St Michaels) are responsible for making employees aware of the existence of these procedures.
- Employees are responsible for making themselves familiar and complying with the Confidential Reporting Policy (Whistle Blowing Policy).
- The Centre Committee has overall responsibility for the maintenance and operation of this policy. The Centre Manager is responsible for maintaining a record of concerns raised and outcomes (but in a form which does not endanger confidentiality) and will report to the Centre Committee as necessary.

Aim

This policy aims to:

- encourage employees to feel confident about raising serious concerns and to question and act upon concerns about practice.
- provide avenues for employees to raise those concerns and receive feedback on any action taken.
- ensure that employees receive a response to their concerns and that employees are aware of how to pursue the concerns if not satisfied.
- reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosures in good faith.
- There are existing procedures in place to enable an employee to lodge a grievance relating to his/her own employment. The Confidential Reporting Policy is intended to cover major concerns that fall outside the scope of other procedures. The items covered in this code include:
 - conduct which is an offence or breach of the law.
 - disclosures related to miscarriages of justice.
 - serious health and safety risks, including risks to the public as well as other employees.
 - serious damage to the environment
 - the unauthorised use of public funds.
 - sexual or physical abuse of pupils
 - unethical conduct.
- Any serious concerns that an employee may have about any aspect of conduct by employees of the preschool or others acting on behalf of the preschool can be reported under the Confidential Reporting Code. This may be something that:
 - makes an employee feel uncomfortable in terms of known standards, the
 - employee's experience or the standards the employee believes the preschool subscribes to
 - is against the preschools standing orders, financial regulations or policies.
 - falls below established standards of practice.
 - amounts to improper conduct.
- This policy does not replace the Pre-school's complaints procedure.

Safeguards against harassment or victimisation

- Winterbourne Early Years Centre is committed to good practice and high standards and endeavours to be supportive of its employees at all times.
- Winterbourne Early Years Centre recognise that the decision to report a concern can be a difficult one to make. If what the employee is saying is true, or he/she has a reasonable belief that it is true, the employee will have nothing to fear because he/she will be doing his/her duty to the centre and children attending it.
- Winterbourne Early Years Centre will not tolerate any harassment or victimisation (including informal pressure) and will take appropriate action to protect employees when concerns are raised in good faith.
- Any investigation into allegations of potential malpractice will not influence, or be influenced by, any disciplinary or redundancy procedures that already affect an employee.

Confidentiality

- All concerns will be treated in confidence and every effort will be made not to reveal the identity of an employee who raises allegations under this Code. At the appropriate time, however, the employee may need to come forward as a witness.

Anonymous allegations

- This policy encourages employees to put their name to allegations wherever possible. This is because concerns expressed anonymously are much more difficult to investigate.
- Therefore anonymous allegations will be considered at the discretion of the Centre Manager in consultation with the Chair of the Committee.
- In exercising this discretion the factors to be taken into account would include:
 - the seriousness of the issue raised
 - the credibility of the concern
 - the likelihood of confirming the allegation from attributable sources.

Untrue allegations

- If an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against the employee.
- If, however, the employee makes an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against the employee.

How to raise a concern

- In most circumstances the employee should raise concerns with the Centre Manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. For example, if the employee believes that the Centre Manager is involved, the employee should approach the Chair of the Committee directly.
- Concerns may be raised verbally however they are best provided in writing, including as much information as possible.
- Staff who wish to make a written report are invited to use the following format :
 - the background and history of the concern (giving relevant names and dates)
 - the reason why the employee is particularly concerned about the situation.
- The earlier the employee expresses a concern, the easier it will be to take action. Although the employee is not expected to prove beyond reasonable doubt the truth of an allegation, the employee should demonstrate to the person contacted that there are reasonable grounds for the concern.
- The employee may wish to consider discussing the concern with a colleague and may find it easier to raise the matter if there are other colleagues who have the same experience or concerns.
- The employee may invite a professional association representative or friend to be present during any meetings or interviews in connection with the concerns raised.

How the Centre will respond

- Winterbourne Early Years Centre will respond to all employees concerns.
- Where appropriate, the concerns raised may:
 - Be investigated by the Centre Manager, the Committee, or through the disciplinary process
 - Be referred to the police
 - Be referred to the internal auditor
 - Form the subject of an independent inquiry.
- In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns over allegations which fall within the scope of specific procedure (for example, child protection or discrimination issues) will normally be referred for consideration under the policies and procedures for dealing with these issues.
- Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- Within ten working days of a concern being raised, the Centre Manager or Chair of the Committee will write to the employee:
 - Acknowledging that the concern has been raised
 - Indicating how it is proposed to deal with the matter
 - Giving an estimate of how long it will take to provide a final response
 - Telling the employee whether any initial enquiries have been made
 - Supplying the employee with information on staff support mechanisms (if appropriate).
 - Telling the employee whether further investigations will take place and if not, why not.
- The amount of contact between the individual considering the issue and the employee who raised the issue will depend on the nature of the matters raised; the potential difficulties involved; and the clarity of the information provided. If necessary, the school will seek further information from the employee.
- Where any meeting is arranged, off-site if requested, the employee can be accompanied by a trade union representative or a work colleague.
- The Centre will take steps to minimise any difficulties the employee may experience as a result of raising a concern. For instance, if the employee is required to give evidence in criminal or disciplinary proceedings the Centre will arrange for the employee to receive additional advice.
- The Centre accepts that the employee will need to be assured that the matter has been properly addressed. Thus, the Centre will inform the employee of the steps that have been taken to resolve the matter as appropriate.
- If after reading this policy you are still not sure how to raise your concerns at our Centre, then you are able to access free, confidential advice from the independent whistleblowing charity Public Concern at Work; it can help you to decide whether and/or how to raise your concern. You can call on 020 7404 6609 or email helpline@pcow.co.uk. For further information, go to the Public Concern at Work website (<http://www.pcow.org.uk/>) – which includes guidance on whistle blowing legislation.

How the matter can be taken further

- This policy is intended to provide employees with an avenue within the Centre to raise confidential concerns. The Centre hopes that employees will be satisfied with any outcome and action taken. If this is not the case, or where the concerns cannot be raised with the Centre Manager or to the Chair of the Committee because the allegations relate to them the employee can raise their concerns directly by escalating your concerns to South Gloucestershire Council Early Years or with Ofsted by contacting them in one of three ways:
 - Call on 0300 123 3155 (Monday to Friday from 8.00am to 6.00pm).
 - Email at whistleblowing@ofsted.gov.uk.
 - Write at: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD
- If an employee chooses to take the matter outside of the Centre the employee should ensure that he/she does not disclose confidential information. An employee should not take concerns directly to the media without first complying with this policy.
- If an employee is concerned about the way in which child protection issues are being handled then they may contact the 'Whistleblowing advice line for professionals' for advice and support; 0800 0280285.

This policy was adopted by

Winterbourne Early Years Centre

On

Date to be reviewed

Signed on behalf of the provider

Name of signatory

Role of signatory (e.g. chair, director or owner)