

Safeguarding and Welfare Requirement: Child Protection

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



Safeguarding children: Whistle Blowing Policy

Definition:

Whistleblowing is raising a concern about malpractice within an organisation.

Protection:

Crofton Early Learners is committed to delivering a high quality pre-school service, promoting organisational accountability and maintaining public confidence.

This policy provides individuals in the workplace with protection from victimisation or punishment where they raise a genuine concern about misconduct or malpractice in the organisation. The policy is underpinned by the Public Interest Disclosure Act 1998, which encourages people to raise concerns about misconduct or malpractice in the workplace, in order to promote good governance and accountability in the public interest. The Act covers behaviour, which amounts to:

- A criminal offence
- Failure to comply with any legal obligation
- A miscarriage of justice
- Danger to health and safety of an individual and/or environment
- Deliberate concealment of information about any of the above.

It is not intended that this policy be a substitute for, or an alternative to our formal Grievance Procedure, but is designed to nurture a culture of openness and transparency within Crofton Early Learners, which makes it safe and acceptable for employees and volunteers to raise, in good faith, a concern they may have about misconduct or malpractice.

Staff acknowledge their individual responsibility to bring matters of concern to the attention of the Designated Person or Deputy or a Trustee and/or relevant agencies. If a member of staff, volunteer or student, acting in good faith, wishes to raise such a concern, receives an allegation about a colleague or witnesses inappropriate behaviour towards a child or children this must be reported immediately to the Designated Person for child protection (unless the DP is the subject of the allegation, in which case it should be reported to the second designated person) who will advise the employee or volunteer of the action that will be taken in response to the concerns expressed. Concerns should be investigated and resolved as quickly as possible.

Staff/volunteers/students can raise a concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future.

If an employee or volunteer feels the matter cannot be discussed with the designated person or is not satisfied with the way the DP dealt with a concern, he or she should contact the chair of the trustees or to the Local Authority Designated Officer (LADO):

Gemma Taylor Tel: 0208 461 7669 or 0208 313 4325, QA Unit, St Blaise, Civic Centre, Bromley BR1 3UH

LADO@bromley.gov.uk

Staff know they can contact the organisation Public Concern at Work for advice relating to whistleblowing; if they feel that the organisation has not acted adequately in relation to safeguarding they can contact the NSPCC whistleblowing helpline.

By law a disclosure in good faith to the Designated Person will be protected. Confidentiality will be maintained wherever possible and the employee or volunteer will not suffer any personal detriment as a result of raising any genuine concern about misconduct or malpractice within the organisation.

If a concern is reported to the media, in most cases any whistleblowing law rights will be lost.

Legal framework

Primary legislation

Public Interest Disclosures Act 1998

Secondary legislation

Sexual Offences Act (2003)

This policy was adopted by

CEL TRUSTEES

On

10 OCTOBER 2020

Date to be reviewed

OCTOBER 2021

WHISTLE BLOWING – PROCEDURES

This guidance is written for staff, paid or voluntary, working with children in education settings and is in line with Bromley Council's 'Raising Concerns – Something Wrong? – How To Report It!'

All staff should be aware of the school's child protection/safeguarding procedures, including procedures for dealing with allegations against staff. Staff must acknowledge their individual responsibility to bring matters of concern to the attention of the Leader/Trustee and/or relevant agencies. Although this can be difficult this is particularly important where the welfare of children may be at risk.

You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young person who are targeted. These children need someone like you to safeguard their welfare.

Don't think what if I'm wrong – think what if I'm right

Reasons for whistle blowing:

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour.
- To prevent the problem worsening or widening.
- To protect or reduce risks to others.
- To prevent becoming implicated yourself.

What stops people from whistle blowing:

- Starting a chain of events which spirals.
- Disrupting the work or project.
- Fear of getting it wrong.
- Fear of repercussions or damaging careers.
- Fear of not being believed.

How to raise a concern:

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken.
- Try to pinpoint exactly what practice is concerning you and why.
- Approach the Leader or the Designated Child Protection/Safeguarding Officer.
- If your concern is about the Leader, or you feel you need to take it to someone outside the preschool, contact the Lead Officer for Education Safeguarding on 020 8461 7669.
- Make sure you get a satisfactory response – don't let matters rest.
- You should then put your concerns in writing, outlining the background and history, giving names, dates and places where you can.

- A member of staff is not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

What happens next?

- You should be given information on the nature and progress of any enquiries.
- Your employer has a responsibility to protect you from harassment or victimisation.
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith.
- Allegations made frivolously, maliciously or for personal gain will be seen in a different light and disciplinary action may be taken.

Self reporting:

There may be occasions where a member of staff has a personal difficulty, or perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with the Leader so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most situations, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

Further advice and support:

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your line manager.