



## **Elham Pre-School Whistleblowing Policy**

Definition: The term whistleblowing is raising concern about malpractice within an organisation.

Elham Pre-School is committed to providing childcare of the highest standard in a safe, secure and diverse environment with equality of opportunity for all. In line with this commitment we expect employees and others that we deal with to recognise a duty of care to the organisation and its learners.

If employees suspect wrongdoing or unprofessional behaviour of one of their colleagues, their loyalty to that colleague or to the company may prevent them from reporting their suspicions. They may also fear harassment or victimisation and thus ignore their concerns rather than report them. By adopting and implementing a whistle blowing policy Elham Pre-School will ensure all staff have the opportunity to report any concerns in an open and transparent manner.

Any person who has a concern is able to raise disclosures about wrongdoing under this policy with no fear of any detrimental outcomes. The Public Interest Disclosure Act 1998 protects employees against detrimental dismissal as a result of any disclosure by them. Employees raising a concern in good faith will be protected from possible victimisation under this policy as well as being protected by law. Legal protection is afforded only to employees who raise genuine concerns and not those making false or vexatious allegations.

### **Reasons to whistle blow**

If, in the course of your employment, you become aware of one of the below occurring:

- That a criminal offence has been committed or is being committed or is likely to be committed
- That a person has failed, or is failing or is likely to fail to comply with any legal obligation to which they are subject (e.g. EYFS, National Minimum Standards, National Care Standards)
- That a miscarriage of justice has occurred, is occurring or is likely to occur
- That the health or safety of any individual has been, is being, or is likely to be, endangered
- That the environment, has been, is being or is likely to be, damaged
- That information tending to show any of the above, is being, or is likely to be, deliberately concealed.

### **Procedure**

If this information relates to child protection or safeguarding then the safeguarding policy should be followed.

Where you reasonably believe one or more of the above circumstances listed above has occurred you should promptly disclose this to your managers so that any appropriate action can be taken. If it is inappropriate to make such a disclosure to your manager (i.e. because it relates to your manager) you should speak to the Chairperson of the Pre-School committee.

If your concern is with the Management Committee it may be necessary to seek external advice or report a concern to another agency. Free, confidential advice can be obtained from the independent whistle blowing charity Public Concern at Work ([www.pcaaw.oeg.uk](http://www.pcaaw.oeg.uk)). Other agencies can include Kent County Council, Ofsted, Citizens Advice Bureau or the Police. However, Elham Pre-School should be given the opportunity to conduct an internal investigation and resolve any concern prior to external involvement.

Employees will suffer no detriment of any sort for making such a disclosure in accordance with this procedure. Any disclosure or concerns raised will be treated seriously and will be dealt with in a consistent and confidential manner and will be followed through in a detailed and thorough manner.

There is no expectation that staff prove beyond doubt the truth of their suspicion; however they will need to demonstrate that they are acting in good faith and there are reasonable grounds for their concern.

Any employee who is involved in victimising employees who make a disclosure, takes any action to deter employees from disclosing information or makes malicious allegations or disclosures in bad faith will be subject to potential disciplinary action which may result in dismissal.

If there are any difficulties experienced as a result of raising a concern, support will be offered.

Failure to report serious matters can also be investigated and potentially lead to disciplinary action which may result in dismissal.

Staff will be kept informed of the progress and outcome of any investigation to assure that any disclosure has been properly addressed unless legal reasons determine otherwise.

Confidentiality will be maintained and every effort will be made not to reveal a member of staff's identity if they so wish.

Any management employee who inappropriately deals with a whistle blowing issue (e.g. failure to react appropriately by not taking action in a timely manner or disclosing confidential information) may be deemed to have engaged in gross misconduct which could lead to dismissal.

This policy was adopted by	ELHAM PRE-SCHOOL
On	_____ (date)
Date to be reviewed	_____ (date)
Signed on behalf of the provider	_____
Name of signatory	_____
Role of signatory (e.g. chair, director or owner)	_____