

Policy Statement

Chestnut Playgroup is committed to the highest possible standards of openness, honesty and accountability. In line with that commitment, we encourage staff, volunteers and others with serious concerns about any aspect of the settings operations to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis. This policy document and associated procedures is to establish an internal procedure that will encourage and enable staff and volunteers to raise concerns about any aspect of the setting's practice, (which do not meet the criteria for being dealt with as a complaint, grievance or allegation), in confidence and without fear of reprisals, to ensure that the setting continues to work within best practice and safeguard children and young people.

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 and volunteers with concerns about any aspect of the setting's practice or staff members and volunteers conduct to come forward and voice those concerns within the playgroup, in confidence, within the setting rather than overlooking a problem.

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

- unlawful
- failing to comply with the setting's policies and procedures
- poor practice
- improper conduct

Principles

This policy is based on the following fundamental principles:

- All staff 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.
- 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 whistleblower's identity when he/she raises a concern and does not want his/her 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 his/her consent, although this will be discussed with the worker first.
- Appropriate advice and support will be made available to staff
- Those who raise concerns will be kept informed of the progress and outcome of any investigation.
- The setting will not tolerate malicious allegations, this may be considered as a disciplinary offence.

Procedures

Chestnut Playgroup Whistleblowing Policy aims to help and protect both staff and children by:

- Preventing a problem getting worse;
- Safeguarding children and young people;
- Reducing the potential risks to others.

The earlier a concern is raised, the easier and sooner the setting can take action. The responsibility for expressing concerns about unacceptable practice or behaviour rests with all staff, students and volunteers.

Procedures for reporting and investigating 'whistleblowing' concerns have been developed to ensure that:

- Staff 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 are reassured that they will be protected from reprisals or victimisation for whistleblowing in good faith.
- Staff can take the matter further if they are dissatisfied with the setting response and seek external advice and guidance.
- 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.

How To Raise A Concern

In the first instance, concerns should be raised with the Playgroup Leader. However, this may not always be appropriate, in which cases concerns should be raised firstly with the Designated Officer for Safeguarding, or with another member of the management committee if that is appropriate eg. Chair of the Committee.

Concerns are best raised in writing, giving reference to the fact that it is a whistleblowing disclosure. Also included in this should be the background and history of the concern(s), giving names, dates, places where possible and the reason(s) why you are particularly concerned. The earlier you express your concerns the easier it is to take action. If you do not wish to put the allegations in writing, you can telephone or meet either the manager or a member of the management committee. The person to whom you are making the complaint will make a written record of the interview and will ask you to sign to confirm the accuracy of the notes taken. Although you will not be expected to prove the truth of your allegations, you will be required to demonstrate that there are sufficient grounds for your concern. You should not:

- Investigate the matter yourself
- Alert those suspected of being involved
- Approach or accuse individuals
- Tell anyone other than the designated person's i.e., Playgroup leader and Safeguarding Designated Officer.

Investigation

The action taken will depend on the nature of the concern. All matters raised, **with the exception of an allegation of harm against a staff member*, 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. Within a week of the receipt of your concern, you will receive a written acknowledgement of your concern, with a copy of your statement where appropriate. You will be informed of what action is being taken and you will be kept up to date on the progress of the investigation. You will also be informed of the outcome of any investigation.

The response should include details of how the matter was investigated, conclusions drawn from the investigation, and whom to contact should the staff member be unhappy with the response and wish to raise the matter.

If the investigation cannot be completed within the timescale above, the staff member 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.

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 concerns, you have a right to refer your concerns to Ofsted.

*Allegation Against A Person Who Works Or Volunteers With Children

An allegation may relate to a person who works or volunteers with children who 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 that indicates they may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children.

If you feel a concern may meet these criteria, please follow the process in the blue and yellow allegation flowchart titled 'Allegation against a person who works or volunteers with children ...what to do' and the accompanying guidance. Do not investigate any allegations until you are certain the above criteria have not been met, advice should be gained from the Local Authority Designated Officer (LADO) where there is uncertainty. All Allegations referred to the LADO must also be referred to Ofsted as a significant event within 14 days via telephone or the online notification form.

If an allegation is made against a person who works or volunteers with children, the following action will be taken:

- Chestnut Playgroup will ensure the immediate safety of the children.
- Chestnut Playgroup will **not** start to investigate but will immediately contact the Local Authority Designated Officer as soon as possible but within one working day (LADO): 01223 727967.

- If the LADO decides the matter is a child protection case, external/internal agencies (e.g., police) will be informed by the LADO and the setting will act upon the advice given to ensure that any investigation is not jeopardised.
- Chestnut playgroup will notify Ofsted of a significant event.
- It may be necessary for the employer to suspend the alleged perpetrator. Suspension is a neutral act to allow a thorough and fair investigation.
- If it is agreed that the matter is not a child protection case, the setting will investigate the matter themselves, gaining advice from the Committee and Local Authority contact where relevant.

Allegations Against The Designated Person

- If a member of staff has concerns that the designated person has behaved in a way that indicates they are not suitable to work with children as listed above, this is reported to the designated officer who will investigate further.
- During the investigation, the designated officer will identify another suitably experienced person to take on the role of designated person.
- If an allegation is made against the designated officer, then the owners/directors/trustees are informed.

If your concerns cannot be expressed to the Playgroup Leader or Safeguarding Designated Officer, then you can contact:

- Local Authority Designated Officer (LADO) on: 01223 727967.
- Senior Adviser Intervention and Safeguarding (Gemma Hope): 01223 714760

If you are not satisfied with the outcome of the investigation, you may elevate your concerns directly to Ofsted.

- Ofsted 0300 123 1231

Further Advice and Support

The National Society for the Prevention of Cruelty to Children (NSPCC) whistleblowing helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their setting. Staff can: call 0800 028 0285, the line is available from 8:00am to 8:00pm, Monday to Friday or email: help@nspcc.org.uk

It is recognised that whistleblowing can be difficult and stressful. Advice and support is available from your line manager and your HR provider.

"Absolutely without fail - challenge poor practice or performance. If you ignore or collude with poor practice it makes it harder to sound the alarm when things go wrong". Sounding the Alarm - Barnardos

Policy adopted: February 2022

Last reviewed: October 2024

Signed:

Name: Emily Steele

Position: Chair