

UGBOROUGH AND BITTAFORD PRE-SCHOOL, BREAKFAST AND AFTER SCHOOL CLUB

WHISTLEBLOWING POLICY

1. Introduction

The statutory guidance "Working together to safeguard children", updated in 2010 makes clear that all organisations that provide services for, or work with, children, must have appropriate whistleblowing procedures, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed by the organisation.

2. What is whistleblowing?

Whistleblowing is the term used when someone who works with or for an organization, wishes to raise concerns about malpractice in the organization (for example, crimes, civil offences, miscarriages of justice, dangers to health and safety or the environment), and the cover up of any of these.

Whistleblowing is very different from a complaint or a grievance. It only applies when you have no vested interest and are acting as a witness to misconduct or malpractice that you have observed.

A complaint is more personal in that in most circumstances you or someone close to you, will have been affected by the issue concerned and you are seeking redress or justice for yourself. In these circumstances, because you have an interest in the outcome of the complaint, you would be expected to be able to prove your case; Ofsted has limited powers to deal with complaints.

A grievance is when an employee has a dispute about their own employment position. Ofsted cannot take action over grievances.

3. What does the law say?

The Public Interest Disclosure Act (PIDA) 1998, known as the Whistleblowing Act, is intended to promote internal and regulatory disclosures and encourage workplace accountability and self-regulation. The Act protects the public interest by providing a remedy for individuals who suffer workplace reprisal for raising a genuine concern, whether it is a concern about child safeguarding and welfare systems, financial malpractice, danger, illegality, or other wrongdoing. The concern may relate to something that is happening or has happened in the past.

Under the Public Interest Disclosure Act, workers are protected from reprisals for reasonably raising an honest and genuine concern internally, but you must be acting in the public interest and not for personal gain to be given this protection.

The Public Interest Disclosure Act covers all workers, including temporary agency staff. It does not cover the self-employed or volunteers. The Act also provides protection should individuals have difficulty gaining a reference from an employer because they have raised a

concern. It makes it clear that any clause in a contract that purports to gag an individual from raising a concern that would be protected under the Act is void.

For more information on the law visit: www.pcaw.co.uk/law/uklegislation.htm

4. Raising a concern about safeguarding failures or other wrongdoing at Ugborough and Bittaford Pre-school/Breakfast and After School Club?

You should first raise your concern internally with the Playleader or Setting Manager.

If you feel unable to do this (perhaps because your concern relates to them) you should raise your concern with the Chairperson.

If this does not have a satisfactory outcome within a couple of weeks or if the problem reoccurs you should put your concerns in writing to the Play leader or Setting Manager and Chairperson.

If a person is worried at any stage about how to raise their concern, they should always seek independent advice at the earliest opportunity. This may be to check who may be best placed to deal with their concern or simply to talk the matter through in confidence first and discuss how to raise their concern, ie union, professional body, early years and childcare advisor.

If you have raised your concern internally but feel it has not been properly addressed, or if they feel unable to raise your concern at any level within the organisation, you may feel that you need to raise your concern outside the place of work.

It is advisable, in terms of both addressing the concern and securing your own protection as a whistleblower, to raise this first with a body that has some oversight of the work of the setting. This may be a governing body/committee, the local authority early years and childcare service, a national regulator such as Ofsted, or the student's educational establishment.

If your concern is about an immediate or current risk to an individual child or children, it is important that you follow Devon Safeguarding Boards (DSCB) Child protection procedures.

5. Who to contact

To raise concerns about failures in practices and procedures for the safeguarding of children in early years settings in Devon, the member of staff, volunteer or student should contact : MASH (Multi Agency Safeguarding Hub) on 0345 155 1071 or email :

mashsecure@devon.gcsx.gov.uk.

Ofsted – contact can be made as follows :

- A dedicated whistleblowing hotline – 0300 123 3155 (Monday to Friday from 8.00 am to 6.00pm)
- By email to the whistleblowing team – whistleblowing@ofsted.gov.uk
- By post : WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD

The hotline can be used by anybody who has a whistleblowing concern about services or practice in any local authority, or in a care or educational setting regulated and inspected by Ofsted, including :

- Employees and former employees
- Agency staff currently and formerly working within care or educational settings
- Voluntary workers in care or educational settings

6. Within the setting

Setting Manager – Tania Barretto 01752 895003
 Or
 Chairperson – Steven Richards 07896 757800

7. Confidentiality

If a member of staff/volunteer/student comes to Ofsted anonymously – this is when they do not know who they are – it will be harder for them to take up the matter, or be sensitive to the person’s position, though they will look into the substance of the information that has been provided.

Ofsted encourage either open or confidential whistleblowing as the best means for protecting staff/volunteer/student and for the concern to be addressed.

Ofsted will ensure that their work in the handling of all concerns, complaints and safeguarding issues complies with the requirements of the Data Protection Act 1998 and the Freedom of Information Act 2000. Under the Freedom of Information Act, Ofsted has the legal obligation to provide information in response to a request unless the information is available by other means; it would not be reasonably practicable to supply it; or the information falls within the exemptions of the Act. If OFSTED receive requests for disclosure of information obtained under the whistleblowing procedure, they will always seek to maintain confidentiality where this has been requested. However, Ofsted cannot guarantee confidentiality in every case.

This policy was adopted at a meeting of Ugborough and Bittaford Pre School held on

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Signed on behalf of Pre SchoolChair

To be reviewed on.....