

Whistleblowing Policy and Procedures



Policy statement

- Little Fishes is committed to delivering a high quality pre-school service, promoting organisational accountability and maintaining public confidence.
- Employees are often the first to realise that something seriously wrong may be happening within the setting. However, they may not express their concerns either because they feel that speaking up would be disloyal to their colleagues or to the setting or because they fear harassment or victimisation. In these circumstances it may be easier to ignore the concern than to report what may be a suspicion of malpractice.
- 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.
- Little Fishes is committed to the highest possible standards of openness and accountability. It encourages employees and others with serious concerns to come forward and voice those concerns about any aspect of the setting's work. It recognises that certain cases will have to proceed on a confidential basis. This policy makes it clear that staff can do so without fear of reprisals and is intended to encourage staff to raise serious concerns within the setting rather than overlooking a problem or publicly disclosing the matter.
- 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.
- Concerns raised under this policy should be about something that is or may be:
 - a criminal offence,
 - failure to comply with any legal obligation,
 - conduct around safeguarding/child protection concerns,
 - any act of discrimination,
 - negligence,
 - a miscarriage of justice,
 - inappropriate use of power or authority,
 - danger to health and safety of an individual and/or environment, or
 - 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 settings formal Complaints Procedure, but is designed to nurture a culture of openness and transparency within the organisation, which makes it safe and acceptable for employees and volunteers to raise, in good faith, a concern they may have about misconduct or malpractice.

Will my name be kept confidential if I whistleblow?

- All concerns will be treated in confidence and Little Fishes will do its best to protect your identity if you do not want your name to be disclosed, so you should state if this is the case.

- If investigation of a concern discloses a situation which is sufficiently serious to warrant disciplinary action or police involvement then your evidence may be important. Your name will not however be released as a possible witness until the reasons for its disclosure at this stage have been fully discussed with you.

Can I whistleblow anonymously?

- This policy encourages you to put your name to your allegation.
- Concerns expressed anonymously are much less powerful but they will be considered at the discretion of the Little Fishes Management Group (“LFMG”) against the following criteria.
 - the seriousness of the issues raised,
 - the likelihood of confirming the allegation from attributable sources,
 - the best interests of Little Fishes, and
 - protection of the assets of Little Fishes.
- You should also bear in mind that if you do choose to raise a concern anonymously, it would be more difficult for the matter to be investigated and for you to be provided with feedback.

What if my allegation is untrue?

- An employee, volunteer or family member who makes an allegation in good faith, without personal gain, based on evidence, observation or a series of unexplainable instances, but which is not confirmed by the investigation, will have no action taken against them and they will be fully supported after the event.
- If, however, a malicious or vexatious allegation is made disciplinary action may be taken against the perpetrator.
- If malicious allegations are made against a member of staff, the LFMG will ensure that they are fully supported and that appropriate disciplinary action is taken against the person making malicious allegations.

Procedures

How can I raise a concern?

- An employee, volunteer or family member who, acting in good faith, wishes to raise such a concern should normally report the matter to the manager who will advise the person raising the concern of the initial action that will be taken, eg to investigate the concern.
- Concerns should be investigated and resolved as quickly as possible. The managers will consult with the LFMG’s chair as to the next most appropriate course of action and legal advice, through LAWCALL, may be sought.
- Concerns can be raised orally but it is good practice for the concern to be recorded in writing immediately to ensure that all the details are correctly understood. A written allegation should set out the background and history of the concern (giving names, dates and places where possible) and the reason why you are particularly concerned about the situation. It is preferable for you to record this in writing yourself. However, where the person to whom you voice your concerns writes these down, a copy will be emailed to you, or sent to your home address, within 48 hours, to give you an opportunity to agree this as a correct record.


- The earlier you express the concern, the easier it is to take action. If an employee or volunteer feels the matter cannot be discussed with the manager, Deborah Johnson, he or she should contact the chair of LFMG, Alison Carr via the church office (020 8224 9838 or office@stpb.co.uk), the EYCS LADO (local authority designated officer) 0300 200 1006 or OFSTED on 0300 123 231 / whistleblowing@ofsted.gov.uk for advice on what steps to follow.

How will Little Fishes respond?

- Where urgent action is required in response to a concern, this may well be taken before a full investigation is conducted. Some concerns may be resolved by action agreed with you, without the need for investigation. Or it may be that an investigation can be completed without the person or persons under investigation being aware of the process. This will not apply in the event of safeguarding issues or concerns. In any event, within ten working days of a concern being received, the manager will write to you at your home address:
 - confirming that the concern has been received,
 - indicating how it proposes to deal with the matter, although this may not be in detail, due to confidentiality,
 - giving an estimate of how long it will take to provide a final response,
 - telling you whether any initial enquiries have been made,
 - telling you whether further investigations will take place, and if not, why not, and
 - that the LFMG will be informed
- A disclosure in good faith will be protected. Confidentiality will be maintained wherever possible and the employee, volunteer or family member will not suffer any personal detriment as a result of raising any genuine concern about misconduct or malpractice within the organisation.

Legal framework

- Public Interest Disclosure Act 1998

<i>This policy was adopted by:</i>	Little Fishes Pre-school on 1 September 2024
<i>next review date:</i>	July 2025
<i>Signed on behalf of the provider by</i>	 Alison Carr, Chair of Little Fishes Management Group