



## WHISTLE-BLOWING AND STAFF CONDUCT

### Purpose

We are committed to the highest possible standards of openness, honesty and accountability. In line with that commitment, we encourage employees and others with serious concerns about any aspect of the setting's 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 makes it clear that employees can do something without fear of reprisals. This Whistle Blowing Policy is intended to encourage and enable employees to raise concerns within the setting rather than overlooking a problem or blowing the whistle outside.

### Policy

Staff have the right and individual responsibility to raise any matters of concern regarding poor practice at work. Staff are responsible for the safety and well-being of ALL children attending the setting and this is a priority over loyalty towards colleagues.

This Policy is intended to:

- encourage and enable individuals to raise *genuine* and *legitimate* concerns
- support staff to take an active role in the elimination of poor practice
- ensure concerns are properly investigated
- protect those making the complaint from victimisation or retaliation

In addition to the 'Whistle Blowing Policy', the setting has other policies and procedures covering discipline, grievance and complaints. This policy is intended to complement these, and to cover concerns that fall outside the scope of other procedures.

The management will investigate promptly and thoroughly, all concerns raised in accordance with this policy and will take appropriate action.

### Concerns over colleagues' inappropriate behaviour

All staff have a duty of care to raise concerns over their colleague's inappropriate behaviour. Unusual behaviour may be considered as:

- particular and inappropriate attention to one child
- inappropriate conduct such as conversations of an explicit nature
- conduct which a member of staff may consider to be a criminal offence.
- disclosure relating to miscarriages of justice.
- health and safety risks, including risks to the public as well as other staff.
- possible fraud or corruption.
- breaches of procedures.
- environmental risks.
- failure to comply with legal obligations.
- sexual, physical or verbal abuse of children, parents, staff or any other behaviour which a member of staff genuinely finds unacceptable or inappropriate.
- other unethical conduct.
- the deliberate concealing of information relating to any of the above matters

### Confidentiality



When a concern is raised, the management will do its best to protect a person's identity. However, in some circumstances identities will have to be revealed to the person complained against and the complainant may be asked to provide written or verbal evidence in support of their complaint.

If a person's identity is to be disclosed, he/she will be told before the disclosure and the reasons why the disclosure is necessary.

Having raised the concerns, the management will expect the complainant not to talk about it to any other person, inside or outside the setting.

### **Anonymous complaints**

These are much less powerful and harder to investigate, however they may be considered.

### **Untrue allegations**

If an allegation is made in good faith but is not confirmed by the investigation, no action will be taken against the complainant. However, if an allegation proves to be malicious, action may be taken against the person responsible for the malicious act.

### **How to raise a concern:**

In the first instance concerns should be raised with the manager. If this is not appropriate concerns should be raised with the Area Manager. Concerns are best raised in writing. You are invited to set out the background and history of the concern giving names, dates and places where possible and the reasons why you are particularly concerned. The earlier you express your concerns the easier it is to act. If you do not wish to put the allegations in writing, 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 about 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 manager

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.

The manager will investigate your concern and within 2 weeks you will be informed of what action is being taken and will be kept up to date on the progress of the investigation. You will also be informed of the outcome of the investigation. If you are not satisfied with the outcome of the investigation, you may elevate your concerns to the Local Early Years' Service or Ofsted.

### **Associated Documents**



- Safeguarding policy
- Complaints policy
- Confidentiality policy