

**Whistleblowing Policy**

**Statement of Intent**

Maynard Montessori Preschool is committed to the highest possible standards of openness and accountability. In line with this commitment, we encourage Employees and others with genuine concerns about any person linked with the setting and/or others (e.g. Parents/Carers) to come forward and voice those concerns.

This policy document makes it clear that Employees, Parents/Carers and others can do so without fear of reprisals. The Whistleblowing Policy is intended to encourage and enable Employees and others to raise such concerns **within** Maynard Montessori Preschool rather than overlooking the problem.

Employees are often the first to realise that there may be something seriously wrong within their setting. However, they may not express their growing concerns because they feel that speaking up would be disloyal to their colleagues. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may be just suspicion of malpractice and wrongdoing at work.

The procedure allows Employees, Parents/Carers and outside agencies to raise concerns about the Management/Staff of Maynard Montessori Preschool.

**AIMS**

This policy aims to:

* Provide avenues for you to raise genuine concerns and receive feedback on any action taken;
* Allow you to take the matter further if you are dissatisfied with the outcome or response;
* Reassure you those steps will be taken to protect you from reprisals or victimisation for whistleblowing in good faith.

This Whistleblowing policy is intended to cover genuine concerns that fall outside the scope of other procedures. That concern may be about something that:

* Is against the policies and procedures of the preschool
* Falls below established standards of practice;
* Amounts to improper conduct;
* Is a Health and Safety risk, including risks to the public as well as children, other colleagues, parents/carers and others;
* Contributes to a safeguarding risk involving children in the preschool care

The procedure will be communicated to all Employees as well as Parents/Carers, Students and others.

**HARASSMENT OR VICTIMISATION**

Maynard Montessori Preschool recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal.

Maynard Montessori Preschool will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. However, should you feel that you have suffered harassment, either directly or indirectly as a result of raising a concern, you should refer to the Employees Handbook or Complaints Policy.

This does not mean that if you are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of your whistleblowing. This applies to Parents/Carers of the setting who then decide to seek alternative childcare.

**CONFIDENTIALITY**

Maynard Montessori Preschool will do its best to protect your identity when you

raise a concern. However, it must be appreciated that, in the interests of natural justice, any

investigation process may reveal the source of the information and a statement by you may be required as part of the evidence.

**ANONYMOUS ALLEGATIONS**

You are strongly encouraged to put your name to any allegation. Concerns expressed anonymously are much less powerful. Anonymous allegations will be considered and any action taken at the discretion of Maynard Montessori Preschool, in conjunction with the relevant agencies, where appropriate.

In exercising this discretion, the following factors will be taken into account when considering how to deal with any allegations:

* The seriousness of the issues raised;
* The credibility of the allegation;
* The likelihood of confirming the allegation from attributable sources.

**MALICIOUS OR VEXATIOUS ALLEGATIONS – STAFF**

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make a malicious or vexatious allegation, disciplinary action may be taken against you in accordance with the Preschool procedures.

**HOW TO RAISE A CONCERN (for Employees)**

* As a first step, you should normally raise concerns with your Preschool Leader or Senior Management- Michelle Wisbey or Liz Barclay.

This depends, however, on the seriousness and sensitivity of the issues involved and who you think may be involved in the malpractice.

* If you believe that your Preschool Leader is involved, you should approach Senior Management- Michelle Wisbey or Liz Barclay.
* If you feel the Senior Management may be involved, as a first step you should approach your Preschool Leader.
* The Preschool Leader will contact the Trustee responsible for Safeguarding with the concerns.

**Cont: - HOW TO RAISE A CONCERN (for Employees)**

With specific regard to Safeguarding issues-

* That may involve a member of staff, you should initially consult with the Preschool Leader.
* If you suspect that the senior management is related to the issue, If you suspect they may be related to the issue you should contact the relevant Safeguarding Officer attached to the setting.
* The Preschool Safeguarding Officer will contact the Trustee responsible for Safeguarding
* You can also contact the Social Services Referrals Department for advice and assistance- Contact details are available at the end of this policy.
* Concerns are better raised in writing. You are advised to set out background and history of your concerns, giving names, dates and places, where possible, and the reason why you are particularly concerned about the situation.
* The earlier you express your concern, the easier it is for Maynard Montessori Preschool, Social Services, Board of Trustees or the relevant Safeguarding Officer attached to the setting to take action.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for initial enquiries to be made.

**HOW MAYNARD MONTESSORI PRESCHOOLWILL RESPOND.**

The action taken by Maynard Montessori Preschool will depend on the nature of the concern.

The matters raised may:

* Be investigated internally;
* Be referred to the Police;

Allegations referred directly to the Safeguarding Officer or Social Services will be dealt with in accordance with their policies and procedures. Any person who is the subject of an allegation should, at the appropriate times be given details of the allegation in order to respond.

In order to protect individuals, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (e.g. Safeguarding or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for an investigation. The following process will be followed in the event of complaints:

* Maynard Montessori Preschool will ensure that a letter is sent to confirm the receipt of the complaint.
* The complaint will then be fully investigated and within 5 days of when the complaint was first received. Maynard Montessori Preschool endeavour to investigate all complaints in a non discriminatory manner.
* A letter will be sent detailing how Maynard Montessori Preschool has dealt with the complaint.

**HOW THE MATTER CAN BE TAKEN FURTHER**

If the complaint has not been dealt with in a manner which is satisfactory to the employee, Parent/Carer or others involved, then they can contact OFSTED directly

**Whistleblowing to OFSTED**

**Ofsted hotline-**There may be times when council employees and those working with young children will want to report to us concerns about practices and procedures for the safeguarding of children and young people.

You can contact our hotline in three ways.

* Call us on 0300 123 3155 (Monday to Friday from 8.00am to 6.00pm).
* Email us at [**whistleblowing@ofsted.gov.uk**](mailto:whistleblowing@ofsted.gov.uk).
* Write to us at:  
  WBHL  
  Ofsted  
  Piccadilly Gate  
  Store Street  
  Manchester M1 2WD

**Before you contact our hotline**

We suggest that you first read your employer’s Whistleblowing Policy and then raise your concerns with your employer. If you are still not sure how to raise your concerns with your employer or someone else, we suggest you first get free, confidential advice from the independent whistleblowing charity Public Concern at Work; it can help you to decide whether and/or how to raise your concern. You can call on 020 7404 6609 or email [**helpline@pcaw.co.uk**](mailto:helpline@pcaw.co.uk). For further information, go to [**the Public Concern at Work website**](http://www.pcaw.co.uk/) – it includes guidance on whistleblowing legislation.

By registering a formal complaint with OFSTED an Officer in most cases will be sent to the Preschool to carry out a further investigation. If applicable, a report would then be sent with action points.

Further information can be found at the following website:

<http://www.ofsted.gov.uk/resources/whistleblowing-ofsted-about-safeguarding-local-authority-childrens-services>

**CONTACT DETAILS – Safeguarding Issues.**

**Preschool Safeguarding Officer.........................................................................................**

**Essex Safeguarding Children Board (ESCB)**

**Local Authority Designated Officer (LADO): Tel: 01245 436744**

**Essex Social Care Direct**

**Initial Response Team:** **Tel: 01206 266068 or 01206 266069,** where a trained professional will give advice on your concerns and referrals.

**Social Care Emergency Duty Service (Out of Hours) Tel: 0845 6061212**

This service will respond to all concerns raised about children where there is a statutory duty to do so or that the matter is so urgent it cannot wait until the next day and place an individual at risk of harm.

The legal framework for this work is:

*Primary legislation*

The Children Act 1989 – section 17, 20, 31, 47

The Protection of Children Act 1999

Data Protection Act 1998

Public Interest Disclosure Act (PIDA) 1998

Freedom of Information Act 2000

The Children Act 2004, 2006 (Every Child Matters) section 10, 11, 13, 14

Safeguarding Vulnerable Groups Act 2006

The Children (NI) Order

The Children (Scotland) Order

*Secondary Legislation*

Sexual Offences Act (2003)

Criminal Justice and Court Services Act (2000)

Human Rights Act (1999)

Race Relations (Amendment) Act (2000)

Race Relations (Amendment) Act (1976) Regulations

Rehabilitation of Offenders Act 1974

Protection of Freedoms Act 2012

*Guidance*

Working Together to Safeguard Children (revised 2006, 2013)

What to do if you are worried about a child (ESCB)

The Framework for the Assessment of children in Need and Their Families (2000)

The Common Assessment Framework (2005)

Statutory Framework for the Early Years Foundation Stage 2012

Signed at a trustee meeting...........................................................................................

Date...........................................................................

Adopted at staff meeting..............................................................................................

Date............................................................................

Review Date.........................................................