

Sunbeams Play

Registered Charity No. 1152188

Safeguarding Children and Young People

12. Whistle Blowing and Handling Allegations within the Group.

Policy Statement

Whistleblowing is the term used when a worker passes on information concerning wrongdoing also referred to as 'making a disclosure' or 'blowing the whistle'. The wrongdoing will typically, although not necessarily, be something witnessed to have taken place at work. To be covered by whistleblowing law, a worker who makes a disclosure must reasonably believe two things:

1. That they are acting in the public interest* and not due to a personal grievance. Personal grievances and complaints are not usually covered by whistleblowing law.
2. That a worker must reasonably believe that the disclosure shows past, present or likely future wrongdoing falling into one or more of the following categories:
 - safeguarding
 - endangering of someone's health and safety
 - criminal offences (this may include, theft or fraud)
 - failure to comply with an obligation set out in law
 - miscarriages of justice
 - damage to the environment
 - covering up wrongdoing in the above categories.

The Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998) and provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

We are committed to:

- treating all disclosures consistently and fairly
- taking all reasonable steps to maintain the confidentiality of the whistleblower where it is requested (unless required by law to break that confidentiality)
- providing any information on any feedback a whistleblower might receive
- explain that anonymous whistleblowers would ordinarily be unable to receive feedback and that any action taken may be limited
- to ensuring that victimisation of a whistleblower is recognised by all as unacceptable.
- taking any instances of victimisation seriously and manage appropriately
- signposting to information and advice to those thinking of blowing the whistle, such as government guidance, Acas, Public Concern at Work or Trade Unions
- ensuring steps to be taken when blowing the whistle to the relevant prescribed person(s) are clear.

Dealing with disclosures

When a disclosure has been made and if those raising the concern are willing, a meeting will be held with them to gather all the information needed to fully understand their concern and depending on the situation may reach a suitable conclusion through the initial conversation. We are aware that if an investigation concludes that the disclosure was untrue it does not necessarily mean that it was a malicious action by a worker.

We are committed to:

- Treating all disclosures made seriously and through the same process.
- Providing support those raising a concern through access to mentoring, advice and counselling
- Reassuring them that their disclosure will not affect their position at work
- Documenting the whistleblower's request for confidentiality or anonymity
- Producing a summary of the meeting for record keeping, providing a copy to the whistleblower
- Allowing the worker to be accompanied by a trade union representative or colleague at any meeting about the disclosure, if they request it.
- Providing support such as mediation and dispute resolution after a disclosure has been made, to help rebuild trust and relationships in the workplace
- Recording all whistleblowing disclosures received and their nature including the date and content of feedback provided to whistleblowers.

In more serious cases such as safeguarding (Policy No's.1-15) we will inform the relevant authorities.

Safeguarding concerns

It is important to share **any** child protection concerns or allegations, regarding people who work with children, with Local Authority Designated Officer (LADO) and the social care services enabling a joint and open decision as to how to proceed. As an educational/childcare setting we are also required to inform Ofsted.

It is the duty of everyone in the group to pass on any concerns or allegations of child abuse without delay following guidelines. (Appendix A & B)

- The named Safeguarding Lead is Sue Carr who will refer all safeguarding concerns to the LADO (Local Authority Designated Officer)
- In her absence deputies are Sarah Southernwood and Julie Kiczma.
- In rare situations where the concerns are about the safeguarding lead, it is important to refer to the deputy person. This may not be appropriate; in which case any member may personally refer direct to LADO through a 'consultation form' which can be found at <https://norfolklscb.org/people-working-with-children/how-to-raise-a-concern/local-authority-designated-officer-lado/>
- In an emergency, dialing 999 or 112 (mobile phones outside of the country) may be the only sensible course of action.
- Both LADO and the police will advise, assist and support in any future actions that need to be taken e.g. informing parents/carers.

Any whistle blower disclosing information in good faith will be protected if s/he has reasonable suspicion of 'wrongdoing'.

Appendix:

A – Safeguarding flowchart

B – Raising a concern (non-safeguarding) flowchart

C – Reporting concern form

Legal framework

- Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998)

**Public interest – one or more people other than the whistleblower, within or outside of the setting.*

This policy was adopted on

20th April 2015

Policy updated

11th Nov 2022

Date to be reviewed

April 2023

Signed on behalf of the management committee

Name of Signatory

Role of Signatory

Reviewed By	Date