

Whistleblowing Policy

Introduction

The statutory guidance 'working together to safeguard children 2018', 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 safe guarding and promoting the welfare of children to be addressed by the organisation.

At Pinecones we are committed to tackling malpractice and wrongdoing in order to safeguard all. When these concerns are raised, we will preserve confidentiality if required

What is whistleblowing?

Whistleblowing is the term used when someone who works with or for an organisation wishes to raise concerns about wrongdoing in the organisation (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 grievance. It only applies when you have no vested interest and are not acting as a witness to misconduct or malpractice.

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. If you are an employee with a grievance, we recommend that you refer to local procedures. Ofsted cannot take action over grievances.

What does the law say?

The public disclosure act 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 or something that you fear may happen in the future.

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 public interest and not for personal gain to be given this protection.

The Public Interest Disclosure Act 1998 covers all workers, including temporary agency staff. It does not cover the self-employed or volunteers. For more information on the law visit:

www.pcaw.co.uk/law/uklegislation.htm

What should a member of staff, volunteer or student do if they have a concern about safeguarding failures or other wrongdoing at Pinecones Nursery School?

- Normally staff should raise a concern with the DSL(Julie Stenning), if the concern is linked to them you can inform the Deputy DSL (Kat Horne) or Office Manager (Tori Hayden). You can also bypass line management if your concerns involve all staff. In this case please contact our local Early Years Advisor.
- We will deal with whistleblowing in a timely manner and aim for the issues to be resolved as soon as possible. Timescales may vary depending on if it is necessary to involve external agencies. Whistleblowing concerns will be addressed as a priority.
- If you are worried at any stage about how to raise your concern you should seek independent advice at the earliest opportunity. You may contact your union, Public Concern and Work at any point for free, confidential advice if you are unsure of anything.
- If your concern is immediate or current risk to an individual child or children, it is important that you follow Devon Children and Family Partnership (formerly Devon

safeguarding Boards DSCB) Child protection procedures. They can be found at <https://www.devonchildrenandfamiliespartnership.org.uk/>

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 4666 (Monday to Friday from 8.00 am until 6.00 pm)
- By email - whistleblowing team -cie@ofsted.gov.uk
- By post - 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 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.

Confidentiality

If a member of staff/volunteer/student comes to Ofsted anonymously, 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/volunteers/student and for 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 *General Data Protection Regulations 2018 (GDPR)* 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 exemption of the Act. If we receive requests for disclosure of information obtained under the whistleblowing procedure, we will always seek to maintain confidentiality where this has been requested. However, Ofsted cannot guarantee confidentiality in every case.

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This policy was adopted by	Pinecones Nursery
On	March 2023
Date to be reviewed	March 2024
Signed on behalf of the provider	
Name of signatory	Tori Hayden
Role of signatory (e.g. chair, director or owner)	Office manager