



STARLINGS PRESCHOOL

Whistle blowing Policy

Policy statement

Starlings Preschool has accepted the provisions of the Public Interest Disclosure Act 1998, shortened to PIDA, the law that protects whistle blowers from negative treatment of unfair dismissal. It is part of the Employment Rights Act 1996(ERA). PIDA makes it unlawful to subject a [worker](#) to negative treatment or to dismiss them because they have raised a whistleblowing concern. Raising a whistleblowing concern is also known as a making a '*protected disclosure*'.

Procedures

Starlings Pre-school promotes and encourages good staff communication and any question of bad practice should be dealt with satisfactorily long before the need for whistle blowing. Staff should feel they could raise questions about any areas of concern during regular supervisor or staff meetings so that practices can be revised and modified before they cause harm. However, the responsibility for whistle blowing rests with a member of staff who is aware or has concerns regarding unacceptable practices. Any issues concerning area of bad practice must be dealt with in the early stages, hopefully preventing any escalation.

Staff who ignore the early warnings may find themselves implicated in the bad practice.

It is not intended that this policy be a substitute for, or an alternative to the formal grievance or complaint procedure but is designed to nurture a culture of openness and transparency within the organization, which makes it safe and acceptable for employees and volunteers to raise, in good faith, a concern they may have about misconduct or malpractice.

Examples of the type of issue that could fall within the scope of this procedure may include, but are not limited to:

- **Conduct which is a criminal offence or breach of the law**
- **Sexual or Physical abuse of children or others, or the grooming of potential victims**
- **Practice creating a major health & safety risk**
- **Fraud or corruption**

Raising a Concern

In the first instance, the employee must raise their concerns under this procedure with the Manager or the chairperson. She or he will then deal with the problem as quickly as possible. The contact details for the chairperson are on the notice board.

Within five working days of a concern being raised, the management or chairperson must write to the employee to acknowledge that the concern has been received. They will also indicate what initial steps are to be taken to deal with the matter and, where possible, will provide an estimate of the time that it will take to provide a final response.

Concerns can be raised orally or in writing, although written submissions are preferred wherever possible. These disclosures must provide as much information as possible about the matter, including dates,



individuals involved, other possible sources of information, etc. Employees must be able to demonstrate to the person hearing the disclosure that there are reasonable grounds for making the allegations. Although employees who wish to make an anonymous disclosure can do so, it may be important for the investigating manager to know the source of the information for a full and appropriate investigation to be possible. Furthermore, the investigator will need to take into account the nature and credibility of an allegation before deciding whether to proceed with an investigation. However, employees are to be re-assured that all disclosures will be treated in confidence and every effort will be made to preserve anonymity. The Act provides protection against victimisation of anyone who makes a protected disclosure in good faith.

Resulting Action

Following a disclosure made under this procedure, enquiries must be made to establish the validity of the allegations. If they are found to be true, the appropriate action will be taken, which may include:

- A full internal investigation, possibly resulting in disciplinary action
- Referral to Social Services or the Police

Subject to legal constraints and the need to protect the rights of individuals, the employee raising the concern will be informed of the outcome of any investigation at the earliest practicable opportunity, to reassure them that appropriate action has been taken. Such information will not include confidential details about formal action taken against another employee.

For reasons of sensitivity and confidentiality, all communications with an employee who takes action under this procedure will be sent to their home address, unless an alternative arrangement has been mutually agreed.

Taking the matter further

In the event that an employee feels that their concerns have not been resolved through the above process, they can write to the Chair of the committee, if she has not already been involved, outlining their concern, the action taken to date and the reasons for their dissatisfaction.

Within 5 working days of a concern being raised, the Chair must write to the employee to acknowledge that the concern has been received and indicate what steps are to be taken to deal with the matter, as well as providing an estimate of the time it is going to take to provide a final response. The Chair will investigate the concerns. The Chair must then inform the employee of the outcome of this process on the same basis as required of the Manager above.

In the event that the matter cannot be satisfactorily resolved within the school, the employee can raise their concerns, in writing, within the County Council's Children's Services Department, with the Director of Children's Services

These officers will follow the same basic procedure outlined above in the same timescales and will feed back the outcome to the individual employee.



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Action and support outside of the County Council

If an employee is dissatisfied with the response of the Manager, Chair and the County Council, and subject to the concern being a matter covered by the Act, he /she can raise the matter, as appropriate, with one of the following agencies:

- An elected Member of the County Council
- A local Member of Parliament
- The Police
- Public Concern at Work (020 7404 6609)
- A relevant professional body or inspectorate
- Ofsted (0300 123 231, whistleblowing@ofsted.gov.uk)

In taking their concern outside of the County Council, employees must ensure that, as far as possible, the matter is raised without personal information relating to other employees being disclosed.

Failure to follow this procedure

Any employee who unreasonably and without justification raises such issues on a wider basis, such as with the press, without following the steps and advice in this procedure will be liable to disciplinary action.

This policy was adopted by Starlings Preschool

On 31st August 2023

Date to be reviewed

Signed on behalf of the management committee

Name of signatory Bethan Collier

Role of signatory Chairperson