



## **Whistle Blowing and Managing Allegations Policy**

All Saints Wise Owls pre-school is committed to the highest possible standards of honesty, accountability and openness. In line with that commitment we encourage parents, employees and others with any serious concerns about any aspect of the settings operations to come forward and voice those concerns. Obviously in certain cases we may have to proceed on a confidential basis. Any employee of the setting can follow this policy without any fears of reprisals. This Whistle Blowing Policy is in place to encourage and enable employees to raise serious concerns within the setting other than overlooking a problem or blowing the whistle outside.

All staff have an individual responsibility and right to raise matters of concern regarding poor or insufficient practice at work. The staff's priority is well-being and safety of all children attending the setting. This takes priority over any loyalty towards work colleagues.

### **This policy is intended to:**

- Enable and encourage individuals to raise genuine and legitimate concerns.
- To support staff to take an active role in the elimination of poor or insufficient practices.
- Investigate any concerns raised appropriately and confidentially.
- Ensure protection to those making the complaint against any form of retaliation or victimisation.

We have other policy and procedures in place to cover grievance and complaints. This Whistle Blowing Policy is intended to complement those. This policy will cover any concerns that fall outside the scope of the other policies. The Chairperson and committee will act promptly and investigate thoroughly, all concerns raised in accordance with this policy, and appropriate action will be taken.

### **Confidentiality**

The Management Committee will respect and protect a person's identity when a concern is raised, however in certain circumstances identities will have to be revealed to the person complained against and the complainant may be asked to provide written evidence in support of the complaint. If a person's identity is to be disclosed, he or she will be informed before the disclosure and given the reasons why this was necessary. Once a concern has been raised the Management committee will expect the complainant not to discuss the complaint. The complainant should not talk about it with any person, inside or outside the setting.

### **Anonymous complaints**

If a complaint is made anonymously, these cases are a lot harder to investigate and hold less power. It is easier for us if people state their name and put any concerns in writing.

## **Procedures**

Firstly, any concerns should be brought to the attention of the manager. However, this may not always be appropriate. If this is the case concerns should be expressed to the Chairperson of the management committee.

Concerns are better raised in writing. If you can include any background and history that would be names, dates, times and places wherever possible. State the reason for your concerns. Express your concerns early as it is easier to take action. If you do not wish to put your concerns in writing, the person to whom you are making the complaint will make a written record of the interview and you will be asked to sign to confirm accuracy of the notes.

You will be required to demonstrate that there are sufficient grounds for your concerns.

Although you will not be expected to prove the truth about your allegations.

## **Untrue Allegations**

If an allegation is made in good faith but it is not confirmed by the investigation, no action will be taken against the complainant. However, if an allegation is proved to be malicious and/or completely unfounded, action may be taken against the person responsible.

You must not under any circumstances:

- Investigate the matter yourself.
- Tell those you suspect to be involved.
- Accuse or approach individuals.
- Tell anyone other than the designated person.

Within one week of the receipt of your concern, you will receive a written acknowledgement of your concern, also a copy of the statement you had written.

The Chairperson / committee will investigate your concerns and within 2 weeks you will be informed of what action is being taken. You will be kept up to date on the progress of the investigation. Finally, you will be informed of the outcome of the investigation.

## **Procedures for Managing Allegations**

The framework for managing cases set out in this guidance applies to a wider range of allegations than those in which there is reasonable cause to believe a child is suffering, or is likely to suffer, significant harm. It also caters for cases of allegations that might indicate that the alleged perpetrator is unsuitable to continue to work with children in his or her present position, or in any capacity. It should be used in respect of all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against, or related to, a child; or
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

There may be up to three strands in the consideration of an allegation:

- a police investigation of a possible criminal offence
- enquiries and assessment by children's social care about whether a child is in need of protection or in need of services consideration by an employer of disciplinary action in respect of the individual.

## **Steps:**

- Our first step is ensuring that the children are safeguarded. If there are concerns about a child's immediate safety, Police/Social Services will need to be contacted. The LADO will need to be involved still but we will ensure there is no delay in ensuring children are immediately safe.

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- When 'dealing' with a referral/disclosure/allegation, as with all safeguarding situations, staff know that we do NOT ask leading questions, make assumptions, offer alternative explanations or promise confidentiality.
- Everything which has been said is written down including the circumstances in which the allegation was made.
- The matter is to be reported to the manager. Then liaison with the LADO will take place.

### **Reporting to Local Authority Designated Officer (LADO)**

The DSL in the setting will make sure that training for themselves and the team takes place on the role of the LADO.

The LADO will be alerted to all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against children, or related to a child
- behaved towards a child or children in a way that indicates s/he is unsuitable to work with children.

Allegations of historical abuse should be responded in the same way as contemporary concerns. In such cases, it is important to find out whether the person against whom the allegation is made is still working with children and if so, to inform the person's current employer or voluntary organisation or refer their family for assessment.

Any concern that meets the criteria above will be referred to the LADO within one working day of the concern coming to our attention. The fact an allegation itself has been made and referred to the LADO will be documented. The details of the alleged perpetrator and allegation WILL NOT be recorded on a child's file.

### **Prior to contacting LADO**

- Allegations will be taken seriously and with an open mind
- Information will be collated on the child, the person who the allegation is made and any potential witnesses.
- The reporting person will be informed that action is being taken and they must keep information confidential.

We will NOT:

- Discuss the allegation with the subject
- Interview witnesses, child, adults
- Automatically dismiss/suspend the member of staff
- Promise confidentiality
- Inform the parent of the child/children of the allegation

### **Information sharing with the LADO**

- We are aware and prepared that we may be asked to share information with the LADO at any stage of an enquiry. Our responsibility is to keep children safe as set out in government guidelines 'Information Sharing'. Information sharing will be planned in partnership with the LADO and recorded. There may be occasions when we are asked not to share information with the LADO depending on the risks to others and/or implications to criminal proceedings. GDPR does not prevent us sharing information if we are sharing information to protect children.

**Supporting those involved**

The DSL will follow the instruction from the LADO in how parties are informed/managed in line with policies and procedures.

**Contact information for LADO:**

01392 384964 or email [childsc.localauthoritydesignatedofficersecure-mailbox@devon.gcsx.gov.uk](mailto:childsc.localauthoritydesignatedofficersecure-mailbox@devon.gcsx.gov.uk)  
for a notification form and return to:  
[ladosecure-mailbox@devon.gcsx.gov.uk](mailto:ladosecure-mailbox@devon.gcsx.gov.uk)