



Whistleblowing policy and procedures

For the resolution of professional disagreements, particularly relating to the safeguarding and protection of children

Definition of whistleblowing

1. Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:
 - Someone's health and safety is in danger, e.g. a child is not being safeguarded because information has not been shared appropriately
 - A criminal offence, e.g. fraud
 - Risk or actual damage to the environment
 - A miscarriage of justice
 - A belief that someone is covering up wrongdoing
 - Failure to comply with any legal or professional obligation or regulatory requirements
 - Damage to the environment
 - Breach of the playgroup's internal policies including the Code of Conduct
 - Conduct likely to damage the playgroup's reputation
 - Unauthorised disclosure of confidential information
 - The deliberate concealment of any of the above matters.

Introduction to the policy

2. This policy should be read in conjunction with the Safeguarding and Child Protection policy.
3. This policy applies to all staff working at all levels of the playgroup, including agency staff and volunteers.
4. The Playgroup expects all staff to maintain high standards in accordance with the playgroup's policies and procedures. A culture of openness and accountability is essential in order to prevent things from going wrong or to address them when they do occur. Effective working together depends on resolving disagreements to the satisfaction of everyone, and a belief in a genuine partnership both within playgroup and working with external agencies.
5. This policy is not a substitute for normal line management processes but an addition to them. This policy is only for the purpose of raising concerns about wrongdoing and is not a substitute or alternative for existing procedures such as the grievance and disciplinary procedures for staff. Personal grievances must be raised through the grievance procedure; see below.
6. Professional disagreement is only dysfunctional if not resolved in a constructive and timely fashion. Disagreements could arise in a number of areas, but are most likely to arise around thresholds and roles and responsibilities. Some examples may include:

- Where one professional disagrees with the action of another around a particular course of action, such as closing involvement with a child or family or a step down to early help;
- Where a member of staff considers that the plan is inappropriate and that a child's needs are not being best met by the current plan;
- Where a member of staff considers that the child's safeguarding needs are better met by a Child Protection Plan and have requested that a Child Protection Conference be called and feel that this has been refused;
- Where a member of staff has raised concerns with the DSL and does not consider that their concerns have been taken seriously or that any action has taken place as a result of the information shared.

Aims and objectives

7. This policy aims:
 - To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
 - To provide staff with guidance as to how to raise those concerns;
 - To reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.
8. It is important to
 - avoid professional disputes that put children at risk, obscure the focus on the child or delay decision making;
 - resolve difficulties quickly and openly;
 - identify problem areas in working together where there is a lack of clarity and to promote resolution via amendment to procedures.
9. The safety of individual children and the focus on children are the paramount considerations in any professional disagreement, and any unresolved issues should be escalated with due consideration to the risks that might exist for the child.

Escalation Process

10. The process of resolution should be as simple as possible.
11. The aim should be to resolve difficulties at practitioner level between agencies. Attempts at problem resolution may leave either a member of staff or the playgroup believing that the child/ren remain(s) at risk of significant harm. This member of staff has responsibility for communicating such concerns through agreed channels.
12. The following stages are likely to be involved:
 - Recognition that there is a disagreement over a significant issue, which impacts on the safety and welfare of a child
 - Identification of the problem and clarity about the disagreement and what the aim is.

These two stages could involve consulting a colleague to clarify thinking.

13. Step 1: Initial attempts should be made to resolve the problem. This should normally be between the people who disagree, unless the child is at immediate risk. It should be recognised that differences in status and/or experience may affect the confidence of some staff to pursue this unsupported.
14. Step 2: If unresolved, the problem should be referred within 1 working day to the DSL / Playgroup Leader, who will discuss with the Chair of the Management Committee.
15. Step 3: If the problem remains unresolved, the DSL/ Playgroup leader will refer within 3 days to the LA Partner or the EYA legal helpline for advice.
16. If the matter is still unresolved, the DSL will refer within 5 days to the Head of Service, Safeguarding and Quality Assurance Service. The role of the Head of Service, Safeguarding and Quality Assurance Service is:
 - To give independent consideration to the issues being raised, providing feedback on the strengths and weaknesses of the case being brought forward.
 - To ensure that throughout the process, lines of communication remain open and clear and that the issue does not become clouded, personalised, or lost in other processes.
 - To provide a briefing to senior managers across agencies on the issue being raised and possible routes to resolving the issue.
17. A clear record should be kept at all stages by all parties, so put your concerns in writing, outlining the background and history, giving names, dates and places where you can. There must also be written confirmation between the parties about an agreed outcome of the disagreement and how any outstanding issues will be pursued. Concerns about children should be retained on the child's case file.
18. At each stage it is important that the person who originally raised the concern is given feedback on what action has been taken in response. It is the responsibility of the person to whom the issue is referred to ensure that clear and timely feedback is provided.
19. When the issue is resolved, any policy issues should be identified and discussed at safeguarding meetings/committee meetings to inform future learning and possible changes to existing policies and procedures.
20. It may also be useful for individuals to debrief following some disputes in order to promote continuing good working relationships and identify possible training needs.

Different routes available for reporting a concern

21. If you wish to report a concern, these are the points of contact:
 - Chair of the Management committee: Janet Gilbert
 - Designated Safeguarding Lead: Elsa Smirthwaite
 - The contact list available at the end of this policy includes external contacts.
22. If a member of staff suspects that there is a serious safeguarding issue and the Manager is not taking it seriously or there is a serious safeguarding issue involving the Manager, you should contact the Chair.

23. All staff should be aware of this whistleblowing policy and the arrangements, should they have concerns about another member of staff.

Complaints that don't count as whistleblowing

24. This procedure is not a route through which staff can raise concerns about mismanagement which may arise through weak management, rather than malpractice.
25. Personal grievances (e.g. bullying, harassment, discrimination) aren't covered by whistleblowing law, unless your particular case is in the public interest. These should be reported under the grievance policy. The Advisory, Conciliation and Arbitration Service (Acas) can help and advise on resolving a workplace dispute.
26. If a member of staff misuses the policy, for instance, by making malicious, frivolous or repeated unsubstantiated complaints against colleagues or for personal gain, this could give rise to action under the playgroup's disciplinary procedure. If there are suspicions that a member of staff comes into this category, advice will be taken from the Chair who will help to determine what action should be taken. No action will be taken against a staff member if the concern proves to be unfounded and was raised in good faith.

Confidentiality

27. If a member of staff wants to raise concerns in confidence, the playgroup will endeavour to keep their identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating the concern to know the member of staff's identity, the playgroup will discuss this with the member of staff first.
28. The playgroup does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the playgroup cannot obtain further information. It is also more difficult to establish whether any allegations are credible and have been made in good faith. Staff who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed below, and appropriate measures can then be taken to preserve confidentiality.

Self-Reporting

29. There may be occasions when a member of staff has a personal difficulty or perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager so professional and personal support can be offered to the member of staff concerned. While such reporting will remain confidential in most situations, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children or vulnerable adults.

Golden Rules to Remember

30. Concentrate on the facts of a situation and focus on what you know for sure. Relying on hearsay and rumour may upset and anger your colleagues and/or employer and may damage personal reputations and work relationships. Remember there may be an innocent or good explanation for what has occurred.

31. If you have a personal grievance, be careful that you are not using this as a trigger for your complaint. A public concern and a personal grievance are not the same thing.
32. Be a witness, not a complainant. Communicate the concern in a professional, calm and factual manner. If you know how to resolve a problem, suggest a solution. As a witness you do not have to prove your concern but will need to demonstrate sufficient grounds for the concern; it is important you do not delay raising the concern by acting as a private detective.

Protection and Support

33. Every staff member, including temporary staff and contractors, should know what protection is available if they decide to report another member of staff. In the United Kingdom, employees are protected by the Public Interest Disclosure Act (PIDA), and the law provides staff with a safe alternative to silence. PIDA protects staff if they raise a concern about wrongdoing internally. It also protects staff who make wider disclosures where there is a valid reason to go wider and the particular issue is reasonable.
34. If the sole or main reason a staff member blows the whistle is to pursue a personal vendetta (or other ulterior motive), then this protection may well be lost.
35. The playgroup cannot guarantee the outcome the member of staff will be seeking, but will deal with the concern fairly and in an appropriate way. If a member of staff is not happy with the way in which the concern has been handled, he or she can raise it with one of the other key contacts outlined below.

Contacts

Manager and DSL: Elsa Smirthwaite, info@christchurchplaygrouphighbury.com

Chair: Janet Gilbert

Islington Head of Safeguarding and Quality Assurance: 0207 527 8066

Public Concern at Work, confidential helpline: 0207 404 6609

whistle@pcaw.co.uk

www.pcaw.co.uk

NSPCC whistleblowing: help@NSPCC.co.uk

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