

# The Hollow Lane Club



## WHISTLE-BLOWING POLICY

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Trustees Reviewed January 2018    Next Review due January 2020

### **Introduction**

The statutory guidance 'Working Together to Safeguard Children', 2013, makes clear that all organisations that provide services for, or work with, children, must have appropriate whistle-blowing procedures, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed by the organisation.

### **Policy**

We recognise that children cannot be expected to raise concerns in an environment where staff fail to do so.

All staff should be aware of their duty to raise concerns, where they exist, about the management of child protection, which may include the attitude or actions of colleagues, poor or unsafe practice and potential failures in the club's safeguarding arrangements. If it becomes necessary to consult outside the club, they should speak in the first instance to the LADO (Local Authority Designated Officer), following the Whistleblowing Policy.

It is the duty of every member of staff and volunteer to speak up about genuine concerns in relation to criminal activity, breach of a legal obligation (including negligence, breach of contract, breach of administrative law), miscarriage of justice, danger to health and safety or the environment, and the cover up of any of these in the workplace. It applies whether or not the information is confidential.

The Hollow Lane Club is committed to ensuring that any staff concerns of this nature will be taken seriously and investigated. A disclosure to Hollow Lane Club will be protected if the member of staff has an honest and reasonable suspicion that the malpractice has occurred, is occurring, or is likely to occur. Staff and volunteers who raise concerns reasonably and responsibly will not be penalised in any way.

### **Who this policy is for**

This policy is for people employed by or volunteering with The Hollow Lane Club. For the purposes of this policy only, this is someone who is:

- Employed on a permanent or fixed term contract of employment;
  - On a temporary contract or employed through an agency to work for Hollow Lane Club;
  - A volunteer with Hollow Lane Club
  - Contractors and suppliers of services to Hollow Lane Club
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## **Procedure**

Any individual who has reasonable suspicions of malpractice should initially take their concerns to the Club Manager. If they do not feel that this is the appropriate person, they should approach the General Manager, or if their concern is related to the Club Manager or General Manager, they should contact the Chair of Trustees. It is recognised that for some individuals, raising a concern under this procedure may be a daunting and difficult experience. An individual may choose to be accompanied or represented by their trade union representative or colleague at any stage of this procedure. All reported incidents will be investigated. All reports will be dealt with in confidence, with only staff who need to know, being informed.

The Club Manager, General Manager or Chair of Trustees will establish and record the basis of the concerns that have been raised and establish what further actions are required. The individual raising the concern will be advised of the outcome of the investigation as soon as possible, normally within two weeks of the date of their disclosure. Where a longer period is needed for investigation, the member of staff will be informed in writing.

The Chair of Trustees will be informed of all reported disclosures and the actions being taken. In the case of disclosures on alleged fraud and corruption Hollow Lane's Finance Officer and Hollow Lane's auditors will be informed by the Administrator.

If an individual is not satisfied with the response received and any subsequent action taken, they should put their concerns in writing to the Chair of Trustees (or another appropriate trustee/committee member) who will arrange any further investigation as he/she thinks appropriate. The Chair will send a written response to the individual concerned.

## **Guiding principles**

To ensure that this policy is adhered to, and to assure staff that the concern will be taken seriously, The Hollow Lane Club will:

- Not allow the person raising the concern to be victimised for doing so;
- Treat victimisation of whistle blowers as a serious matter that may lead to disciplinary action that may include dismissal;
- Not attempt to conceal evidence of poor or unacceptable practice;
- Take disciplinary action if an employee destroys or conceals evidence of poor or unacceptable practice or misconduct;
- Ensure confidentiality clauses in employment contracts do not restrict, forbid or penalise whistle blowing;
- Liaise with the other organisations (see section below) to whom staff report malpractice.

## **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:

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## **Multi Agency Safeguarding Hub (MASH)**

on 0345 155 1071 or email: mashsecure@devon.gcsx.gov.uk

**Ofsted** – contact can be made as follows:

- A dedicated whistleblowing hotline - 0300 123 3155 (Monday to Friday from 8 am to 6pm).
- By email to the whistleblowing team - whistleblowing@ofsted.gov.uk.
- By post: WBHL, 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 a 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**

Ofsted encourage either open or confidential whistleblowing as the best means for protecting Staff, volunteers and students and for the 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 Data Protection Act 1998 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 exemptions 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

## **Whistle-blowing**

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: help@nspcc.org.uk.

Whistle-blowing re the Club Manager should be made to the Chair of Trustees whose contact details are readily available to staff

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