**Alyth Kindergarten**

**Employment, Suitable People**

**2.5 Whistle Blowing Policy and procedure**

**1.0 Introduction**

1.1 This procedure is designed to encourage a free and open culture in the Kindergarten’s dealings between volunteers, employees and all people who engage in the Kindergarten’s business and legal relations.

1.2 Alyth Kindergarten recognises that effective and honest communication is essential if malpractice is to be effectively dealt with and the Kindergarten’s success ensured.

1.3 The policy aims to provide guidance to all those who work with or within the Kindergarten who may from time to time think that they need to raise with someone in confidence certain issues relating to the Kindergarten.

1.4 This policy is separate from the grievance procedure. Employees with complaints about their own personal circumstances should use the normal grievance procedure. If employees have concerns about malpractice within the Kindergarten then they should use the procedure outlined in this policy.

1.5 Advice Line Telephone: No 08000280285. Anyone can call the whistleblowing advice line if a member of staff feels that they have a concern about a child and are concerned about how that concern is being handled. Professionals should use the help line as soon as they believe:

* + Their own or another employer will cover it up
  + Their own employer will treat them unfairly for complaining
  + The concern has not been sorted out and the concern has already been disclosed.

**2.0 Principles**

2.1 In almost all cases, raising issues internally will be the most appropriate course of action for employees to take. The Kindergarten expects all staff to make their best endeavours to raise concerns internally through the management structure to allow the Kindergarten to address concerns.

2.2 This policy does not introduce a general protection for whistle blowers which applies in all circumstances. It applies to employees who follow the procedure laid down in this document in disclosing specific categories of malpractice.

2.3 By knowing about malpractice at an early stage, the Kindergarten has a good chance of taking the necessary steps to safeguard the interests of staff and protect the Kindergarten.

**3.0 Procedure**

3.1 Subject matters of disclosure:

3.2 This policy will apply in cases where employees genuinely and in good faith believe that one of the following sets of circumstances is occurring, has occurred or may occur within the Kindergarten:

• that a criminal offence has been committed, is being committed or is likely to be committed;

• that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject;

• that a miscarriage of justice has occurred, is occurring or is likely to occur;

• that the health and safety of any individual has been, is being or is likely to be endangered;

• that the working environment has been, is being or is likely to be damaged; or

• that information tending to show any matter falling within any one of the preceding clauses has been, is being or is likely to be deliberately concealed.

3.3 It is not necessary that employees prove the malpractice or misconduct which they allege, rather they must raise a reasonable suspicion. However they will not be protected from the consequences of making such a disclosure if, by doing so, they commit a criminal offence.

**4.0 How to raise concerns internally**

4.1 Stage 1 - If employees wish to raise or discuss any issues which might fall into the above category they should normally raise this issue with the Head Teacher/Designated Safeguarding Officer or Deputy Head.

4.2 Stage 2 – Employees who are unable to raise the issue with the Head Teacher or Deputy Head should raise the issue with the Executive Member for the Kindergarten.

4.3 Stage 3 – If an employee has raised a concern and after the investigations is still concerned, or the matter is so serious that the employee cannot discuss it with either of the two persons named above, the employee should raise the matter with the Chair of the Synagogue.

**5.0 How a manager will respond**

5.1 After a concern has been raised, the Kindergarten will decide how to respond in a reasonable and appropriate manner. Normally this will involve making internal enquires first, but it may be necessary to carry out an investigation at a later stage.

5.2 Whilst the Kindergarten hopes that such disclosures will never be necessary, it also recognises that it may find itself in circumstances which are new to it. Each case will be treated on its own facts.

**7.0 Employees’ responsibilities**

7.1 Employees may be required to attend a disciplinary or investigative hearing as a witness.

7.2 Employees are expected to raise concerns internally where possible before raising these externally.

7.3 Employees should be aware that the policy will apply where a disclosure is made in good faith and where they reasonably believe that the information disclosed and any allegation contained in it are substantially true. If any disclosure is made in bad faith (for instance, in order to cause disruption within the pre-school), or concerns information which an employee does not substantially believe is true, or indeed if the disclosure is made for personal gain, then such a disclosure will constitute a disciplinary offence for the purposes of the Kindergarten/NWRS’s Disciplinary Policy and Procedures and may constitute gross misconduct for which summary dismissal is the sanction.

**8.0 Policy Review**

The operation and correct application of this policy will be reviewed annually.

**Legal framework**

* Working Together to Safeguarding Child, HMG 2006
* Revised April 2013
* Data Protection Act (1998)

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| This policy was adopted at a  meeting of | Alyth Kindergarten | name of setting |
| Held on | 11 March 2014 | (date) |
| Date to be reviewed | |  | | --- | | Reviewed Yearly | | 23.05.17 | | (date) |
| Signed on behalf of the management committee |  | |
| Name of signatory | Nicola Feuchtwang | |
| Role of signatory (e.g. chair/owner) | Executive Member for Kindergarten Chair,  Alyth Kindergarten Management Board | |

Policy adapted in 2013 from the Pre-School Learning Alliance Policy.

PSLA is registered as an Educational Charity.