



Whistleblowing (Speak-Up!) Policy

Introduction

Oasis Childcare Centres are committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees who have serious concerns about any aspect of the Oasis ability to provide safe, quality childcare to come forward and voice those concerns.

This procedure makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. It is intended to encourage and enable employees to raise serious problems within the setting rather than overlooking a problem or "blowing the whistle" outside.

This procedure has been obtained from Cornwall Council who has discussed it with the relevant trade unions and professional organisations and has their support.

The Management Committee has appointed a staff and committee member with specific responsibility for this procedure. The staff person responsible is Lorna Trudgeon (Senior Manager and Designated Safeguarding Lead) and the committee member is Zoe Curnow (Ofsted Appointed Person and Designated Whistleblowing Lead who has completed Level 3 Safeguarding Training), known hereon as 'the Monitor'.

If the Whistle Blowing concern is related to safeguarding, the Monitor will escalate the concern to the Designated Safeguarding Lead on the Committee, Mark Fletcher.

Oasis Childcare Centres Designated Safeguarding Team:

- **The Designated Safeguarding Lead and the appointed person for E-Safety (DSL) is: Lorna Trudgeon, Senior Manager**
There is a legal obligation for all settings to have a designated safeguarding lead. We follow the guidance in Annex B of Keeping Children Safe in Education (September 2022) which outlines the key responsibilities of the DSL. Please see appendix A: Job Description: Designated Safeguarding Team'.
- **The Deputy Designated Safeguarding Leads and appointed persons for E-Safety (DDSL's) are: Juliette George and Briony Sedgeman, Senior Deputy Managers**
As above we also follow the guidance in Annex B of KCSIE which outlines the key responsibilities of the DSL and DDSL.
- **The Assistant Designated Safeguarding Leads (ADSL's) are: Emily Wallis and Lindsay Roberts**
As above we also follow the guidance in Annex B of KCSIE which outlines the key responsibilities of the DSL, DDSL and ADSL.
- **The Designated Safeguarding Lead on the Committee is: Mark Fletcher**
The roles and responsibilities of the governing body are outlined in Part 2 of KCSIE. Please see appendix A: Job Description: Designated Safeguarding Team' and appendix B 'Guidance for the Designated Safeguarding Lead (DSL) on the Management Committee'.

(Please see settings Child Protection/Safeguarding Children Policy, Code of Conduct and Low-Level Concerns Policy).

In the event of an allegation being made about a staff member that might indicate that they pose a risk of harm to children if they continue to work in regular or close contact with children in any capacity within our setting, we would follow the guidance outlined in Keeping Children Safe in Education. This guidance will be followed where it is alleged that anyone working in the setting (including volunteers) that provides education for children under 18 years of age has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; or
- behaved or may have behaved in a way that indicates they may not be suitable to work with children. This also takes into account situations where a person's behaviour outside the setting may suggest 'transferable risk' (**see below*). Please also see Staff Code of Conduct.

***Transferable Risk**

Transferable risk refers to a staff members behaviour outside of the setting that could affect their suitability to work with children. This includes situations where a member of staff or volunteer is involved in an incident outside of the setting which did not involve children but could have an impact on their suitability to work with children, such as domestic violence, losing their cool on a night out, etc.

When considering whether an allegation or incident should be dealt with under transferrable risk, three questions should be asked:

1. What happened?
2. Why did it happen (what was the trigger)?
3. Could that same trigger occur in the setting?

If the answer to question three is yes, then there may be transferrable risk and the case may need to be managed as a safeguarding issue under the Keeping Children Safe in Education statutory guidance. We would follow our safeguarding procedures and seek advice from LADO.

Staff **MUST** inform the DSL or DDSL about any incidents that could pose a transferable risk at the earliest opportunity, within working hours, following the incident.

Aims and Scope of this Procedure

This procedure aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice

- provide avenues for you to raise those concerns and receive feedback on any action taken
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- reassure you that you will be protected from possible victimisation if you have a reasonable belief that you have made any disclosure in good faith.

The procedure is intended to supplement, rather than to replace, the existing complaints, disciplinary and grievance procedures. It is intended to cover serious concerns that fall outside the scope of other procedures and may relate to something which:

- is against the Oasis' policies and procedures, or
- falls below established standards of practice, or
- amounts to improper conduct, including something you believe may be:
 - against the law
 - a Health and Safety risk
 - damaging to the environment
 - corruption or unethical conduct

Confidentiality

All concerns will be treated in confidence and every effort will be made to protect your identity if you so wish. At the appropriate time, however, you may need to provide a statement or act as a witness and will be expected to co-operate fully with the investigation and disclose all relevant information.

Anonymous Allegations

This procedure encourages you to put your name to your concern as anonymous allegations may often be difficult to substantiate/prove.

Concerns expressed anonymously are much less powerful but will be investigated unless the Monitor in consultation with the Management Committee agrees there is insufficient evidence to proceed.

Untrue Allegations

If you raise a concern in good faith, but it is not subsequently confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you (please see Disciplinary Procedures).

How to Raise a Concern

As a first step you should normally raise concerns with your Senior Manager (Ofsted Appointed Person) and inform him/her you are using this procedure. However, the Management Committee recognise that on occasion this may not be appropriate.

A number of alternative contacts may be appropriate depending on the nature of the concern. For example, you could approach the Chairperson of the Management Committee, Zoe Curnow (Designated Whistleblowing Lead) who has completed Level 3 Safeguarding Training), or if Zoe Curnow is unavailable Mark Fletcher who is the Designated Safeguarding Lead on the Committee.

Concerns may be raised verbally or in writing.

Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have reasonable grounds to raise them.

Where employees fail to report their concerns they may become themselves implicated and consequently the Management Committee may treat failure by an employee to report such matters as a serious matter which could lead to disciplinary action (please see Disciplinary Procedures).

You may wish to obtain assistance in putting forward your concern from a Trade Union representative or a colleague. You may choose to be represented by a Trade Union representative or colleague at any meetings which are required.

These procedures also apply to self-employed professionals who attend the setting, such as Music and Dance Workers, our Forest School Leader and the settings Handyman.

Professional visitors to the setting who are employed by a 3rd party, such as Speech and Language Therapists, Physiotherapists etc, will be required to adhere to their own company policies with regards to Whistleblowing Procedures.

How the Management Committee will Respond

In order to protect individuals and the Management Committee, initial enquiries will be made by the Monitor to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example Child Protection issues) will normally be referred for consideration under those procedures.

The person with whom you have raised your concern will inform the Monitor of the facts. The Monitor will write to you, within ten working days with the following:

- acknowledgement that the concern has been received
- an indication of how the concern will be dealt with

- an estimate of how long it will take to provide a full response
- whether any initial enquiries have been made
- whether further investigations will take place, and if not, why not.

The Management Committee will inform you in writing of the outcome of any investigation, or any action taken, subject to the constraints of confidentiality and the law.

The Responsible Officer

The Monitor has overall responsibility for the maintenance and operation of this policy within the setting. That Monitor will maintain a record of concerns raised and the outcomes and will report as necessary to the Management Committee. The recording and reporting procedure will be in a form which ensures your confidentiality.

How the Matter can be Taken Further

This procedure is intended to provide you with a route within the setting to raise concerns but if you do not feel your concern has been addressed adequately you may raise it with an independent body such as one of the following:

- your Trade Union
- your local Citizens Advice Bureau
- Cornwall Children, Schools & Families
- a relevant professional body or regulatory organisation, i.e. LADO (Local Authority Designated Officer) or Ofsted
- a relevant voluntary organisation such as the Pre-School Learning Alliance
- the police
- the Local Government Ombudsman

You have a duty to the Oasis not to disclose confidential information. This does not prevent you from raising concerns with an independent body referred to above, or Public Concern at Work (telephone number 020 7404 6609 or more information is available at www.pcaaw.co.uk, a registered charity which advises on serious malpractice within the workplace in accordance with the provisions of the Public Interest Disclosure Act 1998).

Adopted by The Oasis Management Committee on: 08.08.2023
 Representative of Management Committee Signature: Lomatrudgeen
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