03. WHISTLEBLOWING

It is important to ASK that any fraud, misconduct or wrongdoing by employees or people engaged in the organisation's business, is reported and properly dealt with. ASK therefore encourages all individuals to raise any concerns that they may have about the conduct of others at ASK or the way in which ASK is run.

ASK will ensure that all members of staff are familiar with the whistleblowing procedure.

The whistleblowing procedure must be followed in the first instance if:

- a criminal offence has been committed, is being committed or is likely to be committed;
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject. This includes non-compliance with policies and procedures, breaches of EYFS and/or registration requirements;
- a miscarriage of justice has occurred, is occurring or is likely to occur;
- the health and safety of any individual has been, is being or is likely to be endangered;
- 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.

There are 3 stages to raising concerns as follows:

1. If staff wish to raise or discuss any issues which might fall into the above categories, they should normally raise this issue with their manager/Designated Safeguarding Lead.
2. Staff who are unable to raise the issue with their manager/ Designated Safeguarding Lead should raise the issue with their line manager's manager/ director/ owner.
3. If staff are still concerned after the investigation, or the matter is so serious that they cannot discuss it with a line manager, they should raise the matter with the Owner/Ofsted Registered Provider.

After a concern has been raised, the manager/line manager 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.

Whilst it is hoped that such disclosures will never be necessary, the setting management recognises that it may find itself in circumstances which are new to it. Each case will be treated on its own merits.

Managers' responsibilities

Managers/line managers notified of concerns under this policy are expected to:

- ensure that all staff and volunteers are familiar with the policy
- ensure that concerns raised are taken seriously;
- treat the matter in confidence, within the parameters of the case;
- where appropriate, investigate properly and make an objective assessment of the concern;
- keep the person raising the concern updated with progress, without breaching confidentiality;
- ensure that the action necessary to resolve a concern is taken;
- take appropriate steps to ensure that the employee's working environment and/or working relationship is/are not prejudiced by the fact of disclosure.

If an issue cannot be resolved and the member of staff believes a child remains at risk because the setting or the local authority have not responded appropriately, the NSPCC have introduced a whistleblowing helpline 0800 028 0285 for professionals who believe that:

- their own or another employer will cover up the concern
- they will be treated unfairly by their own employer for complaining
- if they have already told their own employer and they have not responded

ASK will ensure that all staff are aware of the NSPCC whistleblowing helpline.

ASK recognises that effective and honest communication is essential if malpractice is to be effectively dealt with and the organisation's success ensured.

Whistleblowing relates to all those who work with or within ASK who may from time to time think that they need to raise with someone, in confidence, certain issues relating to the organisation.

Whistleblowing is separate from the grievance procedure. If you have a complaint about your own personal circumstances, you should use the normal grievance procedure. If you have a concern about malpractice within the organisation, then you should use the procedure outlined below.

- Report any concerns to management.
- All employees and those involved with ASK should be aware of the importance of preventing and eliminating wrongdoing within the organisation. You should be watchful for illegal, inappropriate or unethical conduct and report anything of that nature that you become aware of.
- Any matter you raise under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation will be reported back to you.

- You will not be victimised for raising a matter under this procedure. This means that your continued employment and opportunities for future promotion or training will not be prejudiced because you have raised a legitimate concern.
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure, ASK's disciplinary procedure will be used, in addition to any appropriate external measures.
- If you make a maliciously, vexatious (causing or tending to cause annoyance, frustration or worry) or false allegation then this will be considered a disciplinary offence and disciplinary action will be taken against you.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If you are told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. In this event you should report the matter to Ofsted.

Contact Ofsted at:

- enquiries@ofsted.gov.uk
- 0300 123 4666 (Monday to Friday from 8:00am to 6:00pm)

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Signatory:	Mark Stewart
Role of Signatory:	Owner & Ofsted Registered Provider