**Whistle Blowing Procedure**

The Charity is committed to ensuring a culture of openness and accountability in which abuse, theft, fraud or other misconduct within the organisation by any employee is recognised and reported.

If you have concerns about another member of staff with regard to the way they interact with the children, other adults within the pre-school or parents please bring the matter to the attention of the person in charge of the setting or Bryony Smith the Safeguarding Officer on the committee.

Below is a list of possible acts, which we consider to be gross misconduct, which entitles the charity to dismiss without notice. The list is not intended to be exhaustive as it is impossible to list all offences that may result in disciplinary action.

1. Theft, fraud and deliberate falsification of records (including time sheets)
2. Behaved in a way that has harmed/may have harmed a child.
3. Possibly committed a criminal offence that relates to a child.
4. Behaved in a way that indicates he/she is unsuitable to work with children.
5. DBS rejection.
6. Physical violence or serious threats of physical violence.
7. Serious bullying, harassment or discriminatory behaviour.
8. Deliberate damage to property.
9. Serious insubordination or wilful refusal to obey a reasonable instruction (including failure to attend a disciplinary hearing without good reason).
10. Misuse of Charity property /software/copyright or name.
11. Bringing the employer into disrepute.
12. Being unfit to work through drink or drugs, or being found in possession of unsealed alcohol, illegal drugs, or obscene material at work.
13. Breach of confidentiality.
14. Serious infringement of health and safety rules.
15. Carrying out additional work for customers, or potential customers for your own personal gains, without authorisation from the Charity.
16. Smoking in areas where smoking is not permitted.
17. Failure to attend appointments without notifying the Charity.
18. Unauthorised absence

### Serious misconduct

This includes acts that fall short of gross misconduct, but which are of a serious intent.

1. Leaving your place of work without authority.
2. Insubordination which is not wilful, i.e. you openly refuse to do something but agree reluctantly when faced with suspension.
3. Failure to report damage to Charity property.
4. Defacing or removing ‘no-smoking’ signs.
5. Persistent or serious breaches of Company procedures
6. Neglect of duty, etc.

This list is not exhaustive.

The Charity will respect any request and preserve confidentiality as far as possible. If a concern is raised in good faith, you will be protected by the Charity from reprisals or victimisation.

You may be subject to the charity’s Disciplinary Procedure if you:

1. Fail to report suspicions of abuse, theft, fraud or other acts of misconduct, as stated in your staff handbook.
2. Attempt to stop or discourage another member of staff from coming forward to express a serious concern.
3. Criticise or victimise another member of staff after a concern has been expressed.
4. Raise a concern with malicious intent or abuse this procedure.

Whistleblowing protection applies where the person making a disclosure reasonably believes that the information disclosed, and any allegations contained in it, are substantially true. If any disclosure is made in bad faith, or concerns information which is not substantially believed to be true, or if the disclosure is made for personal gain, then such a disclosure will constitute a disciplinary offence.

The Pre-School Manager will investigate all allegations and involve outside agencies as necessary.

The results of any investigation involving a case of suspected abuse will be related to those concerned and the guidance given by first Response and the Lado will be followed. This may involve contacting Ofsted.

All adults involved in an investigation have a duty to respect confidentiality of others involved.

If you continue to have serious concerns after an investigation has been completed and feel that you need to contact an external agency, you can do so. Contact details of outside agencies are on the parents’ notice-boards.

Any employee who is subjected to disciplinary action may have their employment terminated.

Procedure reviewed and amended 7th October 2021

**Bryony Smith – Chair of Windmill Pre-School Management Committee**

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**Claire Baker - Manager of Windmill Pre-school**

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