



Play in Ltd

Whistleblowing Policy

Play in Ltd is committed to the highest standards of openness, probity and accountability. If a member of staff discovers evidence of malpractice or wrongdoing within the Club they can disclose this information internally without fear of reprisal. This policy applies where you reasonably believe that one of the following sets of circumstances is occurring, has occurred, or may occur within the Company and that your disclosure is in the public interest:

- 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 he or she is subject
- 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 **environment** has been, is being or is likely to be damaged
- **financial** malpractice or fraud
- improper **conduct** or unethical behaviour
- information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed

It is not necessary that you prove the breach or failure that you are alleging has occurred or is likely to occur, you may simply raise a reasonable suspicion. However, you should note that you will not be protected from the consequences of making such a disclosure if, by doing so, you commit a criminal offence.

Any person who in the public interest raises genuine concerns under this policy will not under any circumstances be subjected to any form of detriment or disadvantage as a result of having raised their concerns. The victimisation or harassment of an individual making a protected disclosure is a disciplinary offence.

This policy should not be used to question business decisions made by the Club, or to raise any matters that are covered under other policies (eg discrimination or racial harassment). Any allegations relating to child protection will follow the procedures set out in the **Safeguarding Children Policy**. Any concerns relating to the employment conditions of an individual member of staff should be raised according to the procedures set out in the **Staff Grievance Policy**.

Procedure

If you believe that any of the above practices are happening in the Company the following procedure should be followed:

- In the first instance concerns should be taken to the Club's manager, who will treat the matter in confidence. if it is not appropriate to raise the issues with the Manager, you should raise the issue with a more senior member of management or, if not possible, another member of management at the same level.
- Ideally the staff member should put their allegations in writing, setting out the background to the situation, giving names, dates and places where possible, and the reason why they are concerned about the situation.
- If, due to the nature of the problem, this is not possible, consult your local authority play work advisor or other Agencies that may be able to help you are OFSTED, an Early Years Consultant/Advisor, college or citizen advice.

If this person or body is unwilling or unable to act on the concern, the staff member should then raise it with:

- Ofsted (if it concerns the safe and effective running of the club)
- The Local Authority Designated Officer or the Local Safeguarding Children Board (if it concerns a child protection issue and is not already covered by the procedure set out in the Club's **Safeguarding Children Policy**)
- Ultimately, with the police (if a crime is thought to have been committed).

If the member of staff is still uncertain about how to proceed with the concern, he or she can contact the whistle-blowing charity PCAW (Public Concern at Work) for advice.

Responding to a concern

Initial enquiries will usually involve a meeting with the individual raising the concern, and will decide whether an investigation is appropriate and, if so, what form it should take. If a concern relates to issues which fall within the scope of other policies, it will be addressed under those policies.

If the initial meeting does not resolve the concern, further investigation is required. The appropriate person will investigate the concerns thoroughly, ensuring that a written response can be provided within ten working days where feasible, or if this is not possible, giving a date by which the final response can be expected. The response should include details of how the matter was investigated, conclusions drawn from the investigation, and who to contact if the member of staff is unhappy with the response and wishes to take the matter further.

Depending on the nature of your complaint, it may not be possible to find an immediate solution, but your concerns will be investigated as quickly as is reasonably possible, and, where possible, providing such disclosure does not breach confidentiality, you will be advised of the outcome of the investigation in due course. As a minimum you will be advised when any investigation has been completed and that appropriate action has been taken, although you may not be informed of the specific details of the action that has been taken.

Where it is necessary for your disclosure and the investigative meeting minutes to be supplied to an employee as part of the evidence supporting disciplinary action, appropriate steps will be taken to ensure that your working environment and/or working relationships are not prejudiced by the fact of the disclosure.

If you are dissatisfied with the outcome of this procedure you may raise the matter with the Manager. If you remain dissatisfied with the outcome you have the right to express your concerns to the relevant Prescribed Person designated by the Public Interest Disclosure (Prescribed Persons) Order 2014, or any statute or statutory instrument which subsequently supersedes this legislation.

If you reasonably believe that the relevant failure as listed in any of the above practices relates wholly or mainly to the conduct of a person other than someone in the Company, or any other matter for which a person other than the Company has legal responsibility, then you should make that disclosure to that other person.

Also, you may make such a disclosure to Protect, the leading authority on public interest whistleblowing, if you consider that it has an interest in the matter and, despite the best efforts of the Company, you believe that disclosure within the Company is inappropriate or as noted previously has been unsuccessful. Disclosures made to legal advisors in the course of obtaining legal advice will be protected.

If any disclosure concerns information which you do not substantially believe is true or is made in bad faith, for instance in order to cause disruption within the Company, or indeed if the disclosure is made for personal gain, then you may become subject to action under the Disciplinary Procedure, which could include dismissal.

While the Company 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.

Rights and responsibilities of the whistle-blower

All concerns will be treated in confidence and the Club will make every effort not to reveal the identity of anyone raising a concern in good faith. At the appropriate time, however, the member of staff may need to come forward as a witness.

If a member of staff raises a concern in good faith which is then not confirmed by the investigation, no action will be taken against that person.

If the investigation concludes that the member of staff maliciously fabricated the allegations, disciplinary action may be taken against that person.

Contact information

PCAW (Public Concern at Work): 020 7404 6609 (website: www.pcaw.org.uk)
Ofsted: 0300 123 1231

Sheffield:

Sheffield LADO (Local Authority Designated Officer): 0114 273 4850
SCSP (Sheffield Children Safeguarding Partnership): 0114 273 4450
Out of hours contact: 0114 273 4855

| | |
|---|-----------------|
| This policy was adopted by: Play in Ltd | Date: Sept 2021 |
| To be reviewed: Sept 2022 | Signed: |

Written in accordance with the *Statutory Framework for the Early Years Foundation Stage (2021): Safeguarding and Welfare requirements: Child Protection [3.4-3.8] and Suitable People [3.9-3.13]*.