Whistle Blowing Policy

Definition

What is Whistleblowing?

Whistleblowing is reporting a serious concern, which someone reasonably believes shows wrongdoing or cover-up by that organisation. The concern may relate to something that has happened, is happening or that a person may fear will happen in the future. This may be passed on to a senior member of staff or management for action if they are not complicit but may go directly to an appropriate external organisation.

We recognise that the employees are often the first to realise that there may be something seriously wrong within the nursery. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues, or the nursery. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

We are committed to the highest possible standards of openness, honesty and accountability. In line with that commitment, we expect employees, and others that we deal with, who have serious concerns about any aspect of the nursery to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

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

The policy applies to all employees and applies equally to those designated as casual, temporary, agency, authorised volunteers or work experience.

These procedures are in addition to our complaints procedures and other statutory reporting procedures. Everyone should be made aware of the existence of these procedures

AIMS of the Whistle Blowing Policy:

- 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 reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

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There are existing procedures in place to enable you to lodge a grievance etc relating to your own employment. The Whistle blowing policy is intended to cover major concerns that fall outside the scope of other procedures.

These include:

- Conduct which is an offence or a breach of Law
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public, children as well as other employees
- Damage to the environment
- The unauthorised use of company funds
- Possible fraud and corruption – see note below
- Sexual or physical abuse of adults and children where referral under Child Protection procedures is not appropriate
- Other unethical conduct

There may be other serious concerns, which do not fit into these categories.

Thus, any serious concerns that you have about any aspect of Archfield or Woodland House provision or the conduct of nursery practitioners, can be reported under the Whistle blowing Policy.

For allegations of abuse or neglect of children made against individual members of staff, us our allegations against staff policy, in line with our safeguarding/child protection policy.

This policy does **not** replace Archfield or Woodland House complaints procedures.

SAFEGUARDS

Harassment or Victimisation

We are committed to good practice and high standards and wants to be supportive of employees.

It is recognised that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

We will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.

Disqualification

All staff must declare any disqualifications that they have. All staff are asked to sign a declaration saying that there are no issues regarding disqualification, within induction and also within regular supervisions.

CONFIDENTIALITY
All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

ANONYMOUS ALLEGATIONS
This policy encourages you to put your name to your allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered in the context of the following factors:

- The seriousness of the issues raised
- The credibility of the concern, and
- The likelihood of confirming the allegation from attributable sources.

UNTRUE ALLEGATIONS
If you make an allegation in good faith but it is not 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.

HOW TO RAISE A CONCERN
As a first step, you should normally raise concerns with a Nursery Manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that senior management of the Nursery is involved you should approach if appropriate either the Nursery Director Rebecca Clevett or Managers of the other setting.
Concerns may be raised verbally or in writing. Practitioners who wish to make a written report are invited to use the following format;

- The background and history of the concern (giving relevant dates)
- The reason why you are particularly concerned about the situation.

The earlier you express the concern, the easier it is to take action.

Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

How we will respond

We will respond to your concerns. When you raise a concern under the Whistle Blowing Policy, a responsible person will be designated by the Nursery Director, Rebecca Clevett to investigate further your concern.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made 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 or discrimination issues) will normally be referred for consideration under those procedures. This will include any allegations of disqualification or by association (living in the same household as somebody who may have been disqualified from working with children). Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

Usually within 10 days of a concern/disclosure being raised, the responsible person will write to you:

- Acknowledging that the concern has been received;
- Indicating how it is proposed to deal with the matter;
- Giving an estimate of how long it will take to provide a final response;
- Telling you whether any initial enquiries have been made;
- Supplying you with information on staff support mechanisms (where appropriate)
- Telling you whether further investigations will take place and if not, why not.
- Where a longer period of time is needed for investigation, the person will be informed in writing.

The amount of contact between those considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information may be sought from you.

Where any meeting is arranged, away from nursery premises if you so wish, you can be accompanied by a friend.

We will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, arrangements will be made for you to receive advice about the procedure.

It is accepted that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will be informed of the outcome of any investigation.

THE RESPONSIBLE OFFICER

Management has overall responsibility for the maintenance and operation of this policy in respect of concerns raised formally outside the management of the nursery. Management maintains a record of concerns raised and the outcome (but in a form which does not endanger your confidentiality) and will report as necessary to the Nursery Director. In respect of concerns rose internally within the nursery the Nursery Manager will maintain a record of concerns raised and the outcome and will report as necessary to the Nursery Director.

HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide you with an avenue to raise concerns. We hope you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside Archfield or Woodland House Nursery, the following are possible contact points:

- Your local Citizens Advice Bureau;
- Independent charities for advice
- Relevant professional bodies or regulatory organisations;
- A relevant voluntary organisation;
- The police.
- Health and Safety executive

If you do take the matter outside the company, you should ensure that you do not disclose confidential information. Check with the contact point.

Appendix A – Legal framework and contact details

Designated Safeguarding Lead (DSL) responsible for Child Protection are:

Archfield & Woodland: Emma Base & Sara Dixon

Deputies: Leila Garau, Sharni Burgess and Nicola Smith

Referral Agencies

- FIRST RESPONSE – 0117 9036444

  The place to call if you are concerned about a child or young person or think they need some help. Calls to First Response may result in direct referral to a Social Work Team or to Early Help and/or advice and guidance being given about services to help families.

- Disabled Children Team **(all Bristol) - Tel: 0117 9038250** **disabledchildren@bristol.gov.uk**
- Out of Office Hours **Tel: 01454 615 165 (Emergency Duty Team)**
- Email **(all Bristol)** **childprotection@bristol.gov.uk**
- Police**: Non emergency – Tel: 101 Emergency – Tel: 999**

For Staff Allegations Contact:

- **Local Area Designated Officer (LADO) If a staff allegation is made: 0117 903 7795 LADO@bristol.gov.uk**
- **Registered providers must inform Ofsted of any allegations of serious harm or abuse as soon as reasonably practicable, but at the latest within 14 days of the allegations being made.**
- **Ofsted and Investigation Team (For reporting any Child Protection concerns).-Tel: 0300 123 4666.**

Support and advice

- **https://bristolsafeguarding.org/children-home/**

- **Childline -Tel: 0800 1111 (open 24 hours)**
- **National Association for the Prevention of Cruelty to Children (NSPCC) - Tel: 0800 800 500**

For support and advice on the Channel Programme (Prevent Duty)
https://act.campaign.gov.uk/ or call 0800 789 321

The Public Interest Disclosure Act 1998 protects employees against detrimental treatment or dismissal as a result of any disclosure of normally confidential information in the interests of the public.

Protect, Speak up, Stop harm (formerly PCAW) on 020 3117 2520 for confidential advice relating to serious malpractice at work. Or by webform: Contact our Advice Line - Protect - Speak up stop harm (protect-advice.org.uk) Ofsted regulates childcare providers in England in line with the Early Years Foundation Stage (EYFS). Anyone who would like to make a complaint or raise a concern directly to Ofsted can call on: 0300 123 4666, or put any concerns in writing to E: enquiries@ofsted.gov.uk

Or by post: Applications, Regulatory and Contact (ARC) Team Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD including the name and address of the provider, and their Ofsted registration number.

NSPCC Whistle Blowing Hotline. T: 0800 0280285.Provides free help and advice to people who suspect their organisation might be putting children at risk, even if they're not certain that this is the case. For further info: Whistleblowing Advice Line | NSPCC

Free information and advice can also be obtained from the **Advice, Conciliation and Arbitration Service (ACAS)** – Telephone: 0300 123 1100

Department for Business, innovation and skills; blowing the whistle to a prescribed person
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/510962/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf