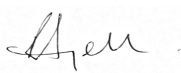


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Whistle Blowing



Version control

Agreed at Meeting on	Attended by	Final Approval by	Date Approved	Next Review Date
5.6.2014	R. Angell J. Malins		5.6.2014	5.6.2015

Policy

Otters Nursery Schools encourage a culture where all staff, volunteers, parents/carers and children are able to voice their opinion or raise a concern and their views are respected and, if necessary, acted upon. If, however, the systems in place for raising a concern have been ineffective, are inappropriate or not functioning properly and the issue is such that staff and children may be at risk, for example, Otters Nursery Schools respect the need for anyone to take their concerns around their line manager to upper management or, where appropriate, to external sources. If the complaint or concern cannot be dealt with within the normal channels, see relevant Complaints or Grievance policies, Otters Nursery Schools would expect the concerned party to be able to 'blow the whistle'. The health and safety of children, their families and staff members is paramount.

If workers bring information about a wrongdoing to the attention of their employers or a relevant organisation, they are protected in certain ways under the Public Interest Disclosure Act 1998. This is commonly referred to as 'blowing the whistle'. The law that protects whistle-blowers is for the public interest – so people are encouraged to speak out if they find malpractice within the Otters Nursery Schools organisation. Blowing the whistle is more formally known as 'making a disclosure in the public interest'.

The Public Interest Disclosure Act 1998 protects workers who 'blow the whistle' about wrongdoing. It applies where a worker has a reasonable belief that their disclosure tends to show one or more of the following offences or breaches:

- a criminal offence;
- the breach of a legal obligation;
- a miscarriage of justice;
- a danger to the health and safety of any individual;
- damage to the environment; or
- deliberate covering up of information tending to show any of the above.



Otters Nursery Schools strongly support measures which protect whistleblowers from any form of victimization. Otters Nursery Schools have a procedure to ensure that concerns are dealt with effectively and efficiently and will do all that they can to preserve the confidentiality of workers who raise such concerns.

Staff who genuinely believe that people they work with are behaving in a way that seems wrong or have a serious concern about an aspect of service will be doing their duty and acting in the public interest by speaking out.

Procedure: How to raise a Whistle Blowing concern

All staff must report any concern immediately, following the procedure:

If a concern relates to Safeguarding follow the Safeguarding Procedure.

Inform the Nursery Manager who must:

- For all other concerns take immediate action if possible to prevent the continuation of the problem to ensure the safety of all who use the nursery.
- If required report the concern to the relevant outside agency within 24 hours.
- Report the concern to designated Company Director R Angell (07907 469684) immediately and certainly within 24 hours.
- The Manager will act as the main point of contact regarding the concern.
- The Manager will liaise and work with outside agencies
- The Manager will complete an investigation taking written statements as per the Otter Nursery School Statement forms.
- The Manager will keep the member of staff fully informed, in writing, regarding the concern.
- The Manager will arrange a case review with the designated Company Director R Rob Angell (07907 469684) within 24 hours.
- The Manager will follow the Procedure for Case Review and complete actions relating to the outcomes of the case review.

In the absence of the Manager the Deputy Manager must follow the procedure as for the Manager.

If the concern is about or relates to the manager, or in their absence the Deputy, the report must be made directly to designated Company Director R Angell (07907 469684) who must follow the procedure as for the Manager.

If the Nursery Manager does **not** follow the correct procedure staff must report their concern to the relevant outside agency:

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- For a safeguarding concern about the behaviour of a member of staff report to the Local Authority Designated Officer (LADO): Mark Blackwell, 01962 876364, mark.blackwell@hants.gov.uk
- For an employment concern report to the designated Company Director Rob Angell (07907 469684)
- For a childcare concern report to OFSTED:
whistleblowing@ofsted.gov.uk Tel : 03001233155
- For a Health & Safety Concern report to the Local Authority

Please note that all contact details for the above agencies are located in the safeguarding file and staff information board.

Key Commitments

Concerns may be raised verbally or in writing. Staff who wish to make a written report are advised to set out the background and history of the concern, giving names, dates and places, where possible, and the reasons for making the disclosure. This will make the investigation easier to complete.

Although a member of staff is not expected to prove beyond doubt the truth of the allegation, they will need to demonstrate that they have an honest and reasonable suspicion that malpractice has occurred, is occurring or is likely to occur.

Otters Nursery School will respond to any concerns raised. In order to protect a member of staff who raises a concern and those accused of wrong-doing, 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, conduct or discrimination issues) will normally be referred for consideration under those procedures.

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.

Confidentiality

All concerns will be treated with confidence and every effort will be made not to reveal a staff member's identity, if they so wish. However, while making all reasonable efforts to maintain the confidentiality of the matter as a whole, at a certain stage in the investigation it will be necessary to make the origin of the complaint known to the person or persons the allegations concern. All concerns raised within the remit of this procedure will be assessed to determine if the confidentiality extends to withholding the name of the complainant. There shall be a substantial reason for doing so, such as a real risk of personal harm. Complainants should be aware however, that their identity may be revealed by inference.

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Untrue allegations

Otters Nursery Schools accepts that deciding to report a concern can be very difficult and uncomfortable. If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against him/her. If, however, a member of staff makes an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.