

Whistleblowing Policy

Whilst we expect all colleagues, both internal and external, to be professional at all times and hold the welfare and safety of every child as their paramount objective, there may be occasions where this may not be happening.

It is vital that all team members talk through any concerns they may have with their senior member of staff at the earliest opportunity to enable any problems to be ironed out as soon as they arise.

Disclosure of information

If, in the course of your employment, you become aware of information which you reasonably believe tends to show one or more of the following, you **MUST** use the nursery's disclosure procedure set out below:

- That a criminal offence has been committed or is being committed or is likely to be committed
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject (e.g. EYFS, National Standards)
- That a miscarriage of justice that has occurred, is occurring, or is likely to occur
- That the health or safety of any individual has been, is being, or is likely to be endangered
- That the environment, has been, is being, or is likely to be damaged
- That information tending to show any of the above, is being, or is likely to be deliberately concealed

Qualifying disclosures made before 25th June 2013 must have been made 'in good faith' but when disclosed, did not necessarily have to have been made 'in the public interest'.

Disclosures made after 25th June 2013 do not have to be made 'in good faith', however they must be made in the public interest. This is paramount when assessing a disclosure made by an individual.

The Public Interest Disclosure act has the following rules for making a protected disclosure:

- You must believe it to be substantially true
- You must not act maliciously or make false allegations
- You must not seek any personal gain.
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It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be, committed: a reasonable belief is sufficient.

Disclosure procedure

- If this information relates to child protection/safeguarding then the nursery safeguarding policy should be followed, with particular reference to the staff and volunteering section
- Where you reasonably believe one or more of the above circumstances listed has occurred you should promptly disclose this to your manager so that any appropriate action can be taken, if it is inappropriate to make such a disclosure to your deputy officer you should speak to Ms. Steph Alexander.
- If in the event this is also inappropriate as you feel this may be involving them please refer to the safeguarding policy, this lists the contact numbers of the Safeguarding Board and Local Area Duty Officer
- Employees will suffer no detriment of any sort for making such a disclosure in accordance with this procedure. For further guidance in the use of the disclosure procedure, employees should speak in confidence to the nursery owners
- Any disclosure or concerns raised will be treated seriously and will be dealt with in a consistent and confidential manner and will be followed through in a detailed and thorough manner
- Any employee who is involved in victimizing employees who make a disclosure, takes any action to deter employees from disclosing information or makes malicious allegations or disclosures in bad faith will be subject to potential disciplinary action which may result in dismissal
- Failure to report serious matters can also be investigated and potentially lead to disciplinary action which may lead in dismissal
- Any management employee who inappropriately deals with a whistleblowing issue (e.g. failing to react appropriately by not taking action in a timely manner or disclosing confidential information) may be deemed to have engaged in gross misconduct, which could lead to dismissal.
- If you are worried about the way the organisation is dealing with child protection issues you can contact the service NSPCC whistleblowing advice line on 08000280285 it is free to call and can be anonymously.

Date of policy	Signed on behalf of setting	Date of review
September 2015		September 2023