

## Whistle Blowing Policy and Procedure

### Policy Statement

This procedure is designed to encourage a free and open culture at Belfield Montessori, dealings between volunteers, employees and all people who engage in our nursery. We recognise that effective and honest communication is essential if malpractice is to be effectively dealt with and the nursery's success ensured.

### Aim

This policy aims to provide a clear procedure for you to raise genuine concerns and receive feedback on any action taken.

It allows you to take the matter further if you are dissatisfied with the outcome or response. All staff members are required to have full understanding of whistleblowing and the procedures to be followed. Regular reminders are included in our supervision meetings every 2 months and additional training to support this can be offered if necessary.

### Principles

This policy applies in all circumstances. It applies to employees who follow the procedure laid down in this document in disclosing specific categories of malpractice.

By knowing about malpractice at an early stage, the setting has a good chance of taking the necessary steps to safeguard the interests of staff and protect the company.

### Procedure

This policy will apply in cases where employees genuinely and in good faith believe that one of the following sets of circumstances is occurring, has occurred or may occur within the nursery.

- That a criminal offence has been committed, 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 he or she is subject.
- That a miscarriage of justice has occurred, is occurring, or is likely to occur.
- That the health and safety of any individual has been, is being or is likely to be endangered.
- That the working environment has been, is being or is likely to be damaged.
- That information tending to show any matter falling within any one of the preceding clauses has been, is being or is likely to be deliberately concealed.

Step 1 – Staff to inform a member of Management immediately of their concerns

Step 2 - Disclose and write a Statement of the Incident (date, time including all details)

Step 3 – Safeguarding Lead (Lucy Balducci) if absent then Manager, 3<sup>rd</sup> in charge or Director contact Lado (0208 3594066)

Step 4 – Contact Ofsted

Step 5 – Follow the advice of Lado

It is not necessary that employees prove the malpractice or misconduct which they allege, rather they must raise a reasonable suspicion. However they will not be protected from the consequences of making such a disclosure if, by doing so, they commit a criminal offence.

### How to raise concerns internally

**Stage 1-** if employees wish to raise or discuss any issues which might fall into the above category they raise this issue with their manager, director or the Safeguarding Lead (Lucy Balducci) if absent then Manager, 3<sup>rd</sup> in charge or Director.

**Stage 2-** employees who are unable to raise the issue with their manager, Contact Lado on 0208 3594066.

### How a manager will respond

After a concern has been raised, the manager will decide how to respond in a reasonable manner. Normally this will involve making internal enquires first, but it may be necessary to carry out an investigation at a later stage.

Whilst the nursery 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. (Outside agencies may be contacted for advise, i.e. - legal aid, advisory teacher/Barnet borough, pre-school learning alliance, Lado, Ofsted).

### **Manager's Responsibilities**

Manager notified of concerns under this policy will:

- Ensure that concerns raised are taken seriously
- Treat the matter in confidence
- Where appropriate, investigate properly and make an objective assessment of the concern
- Keep the employee advised of progress, without breaching confidentiality
- Have a responsibility to ensure that the action taken is necessary to resolve a concern.
- Ensure that a written record of concerns raised under this policy are kept
- Take appropriate steps to ensure that the employee's working environment and/or working relationship is/are not prejudiced by the fact of disclosure.

### **Employee's Responsibilities**

Employees may be required to attend a disciplinary or investigate hearing as a witness. Employees are expected to raise concerns internally where possible before raising these externally.

Employees should be aware that the policy will apply where a disclosure is made in good faith and where they reasonably believe that the information disclosed and any allegation contained in it are substantially true. If any disclosure is made in bad faith (for instance, in order to cause disruption within the setting), or concerns information which an employee does not substantially believe is true, or indeed if the disclosure is made for personal gain, then such a disclosure will constitute a disciplinary offence for the purposes of the nursery's disciplinary policy and may constitute gross misconduct for which summary dismissal is the sanction.

This policy is not intended to be used for raising personal employment related complaints. Issues that relate to an individuals own employment , such as pay, working conditions, performance, bullying or harassment should normally be raised by following our grievance procedure.

A concern may be treated as whistle blowing where it involves serious wrong doing or risks that effect others or the nursery.