



Whistleblowing Policy

AIMS OF THIS POLICY

This policy aims to: -

- 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

If you are an employee, there are existing procedures in place to enable you to lodge a grievance relating to your own employment. You should always use the grievance procedure before this Whistleblowing Policy. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures. These include: -

1.
 - 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, service users, as well as other employees
 - damage to the environment
 - the inappropriate or unauthorised use of public funds or other resources
 - possible fraud and corruption
 - abuse of staff or children
 - other unethical conduct.
2. Thus, any serious concerns that you have about any aspect of service provision or the conduct of officers or Members of the County Council or others acting on its behalf can be reported under the Whistleblowing Policy. This may be about something that:-
 - makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the County Council subscribes to; or
 - is against the County Council's Constitution or policies; or
 - falls below established standards of practice; or
 - amounts to improper conduct.

SAFEGUARDS AGAINST HARASSMENT OR VICTIMISATION

- 3 Henshaw Nursery is committed to good practice and high standards and wants to be supportive of employees and others covered by this policy.
- 4 Henshaw Nursery recognises 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.
5. Henshaw Nursery will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action, including disciplinary action if necessary, to protect you when you raise a concern in good faith.

- 6 Any investigation into allegations of potential malpractice will not influence or be influenced by other procedures such as investigations and hearings under the disciplinary, sickness, capability, redundancy or any other dismissal procedures that already affect you or may affect you in the future.

CONFIDENTIALITY

- 7 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

8. This policy encourages you to put your name to your allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Nursery. It should be remembered that wherever possible confidentiality will be preserved.
9. In exercising this discretion, the factors to be taken into account would include: -
- the seriousness of the issues raised;
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from attributable sources.

UNTRUE ALLEGATIONS

- 10 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

11. As a first step, you should normally raise concerns with your immediate manager or their superior. In some cases, it may be more appropriate to raise concerns with someone more senior or directly with one of the **internal** contacts listed at the end of this document. 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 your management is involved, you should approach Ofsted.
12. Concerns may be raised verbally or in writing. If you wish to make a written report, you 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.
- If your concern is raised verbally, a written note will be taken in line with the format above.
- 13 The earlier you express the concern the easier it is to act.
- 14 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.
- 15 Advice or guidance on how to pursue matters of concern may be obtained from you're the Nursery manager or the people named in the Internal Contact List at the end of this document.
- 16 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 have the same concerns.
- 17 You may invite a work colleague to be present during any meetings or interviews about the concerns you have raised.

HOW THE NURSERY WILL RESPOND

18. The person to whom you report your concerns under this policy must, in turn, report them to a senior member of the Nursery Committee within five working days.
19. The Nursery will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.
20. Where appropriate, the matters raised may: -
 - be investigated by management, internal audit, or through the disciplinary process
 - be referred to the police
 - be referred to Ofsted
 - form the subject of an independent inquiry.
21. 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. The overriding principle which the Nursery will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection, vulnerable adults, discrimination or harassment issues) will normally be referred for consideration under those procedures.
22. 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.
23. Within ten working days of a concern being raised, the Nursery Committee will write to you: -
 - acknowledging that the concern has been received
 - indicating how the Nursery proposes 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 support available from the Pre-School Learning Alliance, and
 - telling you whether further investigations will take place and if not, why not.
24. The amount of contact between the officers 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, the Nursery committee will seek further information from you.
25. Where any meeting is arranged, off-site if you so wish, you can be accompanied by a work colleague.
26. The Nursery will take steps to minimise any difficulties which you may experience because of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Nursery Committee will arrange for you to receive advice about the procedure and you may also wish to contact the Pre-School Learning Alliance.
27. The Nursery accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation but you must keep that information confidential.

THE RESPONSIBLE OFFICERS

28. The Monitoring Officers have overall responsibility for the maintenance and operation of this policy. That officers maintain a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to OFSTED.

HOW THE MATTER CAN BE TAKEN FURTHER

- 29 This policy is intended to provide you with an avenue within Henshaw Nursery to raise concerns. The Nursery Committee hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the Nursery, further possible contact points are given in the External Contact List at the end of this document.
- 30 If you do take the matter outside the Nursery, you should ensure that you do not disclose information which should properly remain confidential. You will need to confirm this with the person or organisation you decide to contact.

Useful Numbers

OFSTED: 0300 123 1231

When dealing with allegations against people who work with children the LADO (Local Authority Designated Officer) is made aware immediately and at most within 1 working days. LADO: Kevin Richardson 01670 623979.

This policy was adopted/amended at a meeting of
Held on
Date to be reviewed

Henshaw Nursery
17th November 2016 (date)
November 2017 – Reviewed 9/9/17 AB
Review September 2018

Signed by the Chairperson of the management committee
Name of signatory

Signed by the Nursery Manager
Name of signatory