

Fledglings Day Nursery

Whistle Blowing Policy and Procedure

Aims

- To encourage staff and volunteers to feel confident in reporting serious concerns about any aspects of the setting's work.
- To provide ways for staff and volunteers to report concerns.
- To ensure that staff and volunteers get a response to their concerns and that they know what to do if they are not satisfied with this.
- To reassure staff and volunteers that they will not be penalised for coming forward with their concerns.

Definitions

What is **whistle blowing**?

Whistle blowing is reporting a serious concern, which someone reasonably believes shows wrongdoing or a 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.

What is a **serious concern**?

A serious concern might be;

- a criminal offence
- abuse or neglect of children
- bullying or victimisation of staff, volunteers or children
- financial malpractice
- a health and safety risk
- a failure to deliver appropriate standards of care

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

For allegations of abuse or neglect of children made against individual members of staff, use the Staff Allegations section in our Child Protection Policy.

Procedure

How to report a concern

Internal:

- Any staff member or volunteer can report a concern.
 - Concerns can be reported verbally or in writing.
 - In most circumstances this would be to the line manager.

- If the concern involves the line manager or it is felt they are unlikely to take any action, the member of staff should contact one of the senior management team namely Meryl Malyckyj or John Malyckyj.

External:

- If the concern involves the management of the organisation and there is no one internally to report to safely, then a report should be made to an appropriate external organisation.
- Staff who feel unsure about whether or how to raise a concern or want confidential advice can contact the independent charity Protect, Speak up, Stop Harm. Their lawyers can give free confidential advice on how to raise a concern about serious malpractice at work.
- Staff can also contact the Ofsted whistleblowing hotline, (if the concern relates to any areas covered in the safeguarding and welfare requirements, especially child protection), NSPCC whistle blowing advice line (if the concern relates to child protection), the Police and/ or The Health and Safety Executive.

What will happen next?

- All reported concerns will be investigated.
- Verbal concerns will be recorded in writing.
- The person to whom the concern has been reported to will assess what action needs to be taken. This could be an internal enquiry or more formal enquiry, for example involving Ofsted and the Police. More senior management will be informed.
- In some cases, the concern may be better addressed under another policy or procedure, such as Child Protection, Discipline and Grievance or Health and Safety.
- The person reporting the concern will be advised of the outcome as soon as possible, normally within 2 weeks of the date of their disclosure. Where a longer period is needed for investigation, the person will be informed in writing.
- Where a person is not satisfied with the outcome, they should put their concerns in writing to Meryl Malyckyj.
- If the staff member has needed to report their concerns externally in the first instance, then they should be guided by the external organisation in term of what will happen next.

Confidentiality

Staff are encouraged not to report concerns anonymously as this makes them more difficult to investigate. Any concerns raised will be dealt with confidentially wherever this is possible. If other organisations need to be involved, it may not be possible to conceal the source of the information.

Safeguards

- Fledglings Day Nursery will not tolerate any harassment or victimisation and will take appropriate action to protect those who report a concern in good faith.
- No action will be taken against anyone who makes an allegation in good faith, reasonably believing it to be true, even if the allegation is not subsequently confirmed by the investigation.

Appendix: Legal Framework and contact details

Author

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Fledglings Day Nursery

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Appendix A – Legal framework and contact details

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 or email: whistle@protect-advice.org.uk for confidential advice relating to serious malpractice at work.

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 the compliance team on: 0300 123 4666, or put any concerns in writing to E: cie@ofsted.gov.uk

Or by post: Ofsted Compliance Team, 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: <https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/>

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