



## The Wye Nursery Policies and Procedures

### **Whistle Blowing Policy**

Whistleblowing is an important aspect of safeguarding at The Wye Nursery where staff and volunteers are encouraged to share genuine concerns about a colleague's behaviour. The behaviour may not be child abuse, but they may not be following the code of conduct or could be pushing boundaries beyond normal limits.

Whistleblowing is very different from a complaint or grievance. The term whistleblowing generally applies when you are acting as a witness to misconduct that you have seen and threatens other people.

***The Public Interest Disclosure Act 1998***, (known as the whistleblowing Act), is intended to promote internal and regulatory disclosures and encourage workplace accountability and self-regulation. The Act protects the public interest by providing a remedy for individuals who suffer workplace reprisal for raising a genuine concern, whether it is a concern about child safeguarding and welfare systems, financial malpractice, danger, illegality, or other wrongdoing. The Act is incorporated into the ***Employment Rights Act 1996***, which also already protects employees who act over, or raise concerns about, health and safety at work.

The statutory guidance ***Working Together to Safeguard Children 2015*** makes it clear that all organisations that provide services for, or work with, children, must have appropriate whistleblowing procedures. The Wye Nursery have a culture that enables concerns about safeguarding and promoting the welfare of children to be addressed. The concern may relate to something that is happening now, has happened in the past or could happen in the future.

The Wye Nursery will not tolerate any harassment or victimisation of a whistle blower (including informal pressures), and will treat this as a serious disciplinary offence, which will be dealt with under The Wye Nursery's ***Disciplinary Policy***.

#### **Designated officers**

The following people are designated officers for concerns under this procedure.

**The Wye Nursery Manager/Owner – Mrs Maria Wrinch**

**Operations Manager – Mrs Sarah Prosser**

A designated officer will be the point of contact for employees who wish to raise concerns under this policy. Where concerns are raised, an initial interview will be arranged, which will if requested be confidential, to ascertain the area of concern. At this stage, the whistle blower will be asked whether they wish their identity to be disclosed and will be reassured about protection from possible reprisals or victimisation. They will also be asked whether they wish to make a written or verbal statement. In either case, the designated officer will write a summary of the interview, which will be agreed by both parties.

**Ofsted Whistle Blower Hotline (03301233155)** Ofsted's dedicated whistle blower hotline was launched in April 2009. It is staffed 8am-6pm, Monday to Friday. Disclosures can also be submitted to Ofsted by email to [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk) or by post to: Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD.



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### The investigation

The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. This may be appropriate in cases of suspected fraud. In certain cases, however, such as allegations of ill treatment of children / staff, suspension from work may have to be considered immediately. Protection of children is paramount in all cases.

The designated officer will offer to keep the whistle blower informed about the investigation and its outcome.

If the result of the investigation is that there is a case to be answered by any individual, the ***Disciplinary Policy*** will be used.

Where there is no case to answer, but the employee held a genuine concern and was not acting maliciously, the designated officer should ensure that the employee suffers no reprisals.

Only where false allegations are made maliciously, will it be considered appropriate to act against the whistle blower under the terms of the ***Disciplinary Policy***.

### Inquiries

If the concern raised is very serious or complex, an inquiry may be held.

The Wye Nursery recognises the contribution the trade union(s) can make to an inquiry and agrees to consult with the trade union(s) about the scope and details of the inquiry, including the implementation of the recommendations of the inquiry. The Wye Nursery recognises that in many cases it will be desirable that a trade union(s) representative will be appointed to the panel of the inquiry.

### Following the investigation

The designated officer will arrange a meeting with the whistle blower to give feedback on any action taken. (This will not include details of any disciplinary action, which will remain confidential to the individual concerned). The feedback will be provided within the time limits (to be specified).

If the whistle blower is not satisfied with the outcome of the investigation, The Wye Nursery recognizes the lawful rights of employees and ex-employees to make disclosures to prescribed persons (such as the Health and Safety Executive and Ofsted) or, where justified, elsewhere.