**1.7 Whistleblowing**

Whistleblowing is raising a concern about malpractice within an organisation. It differs from a complaint or grievance in that there is no vested interest and the whistle-blower is acting as witness to misconduct or malpractice observed. Whistleblowing encourages and enables individuals to raise serious concerns that they may have about the conduct of others in the setting or the way in which it is run.

## **Policy Statement**

This policy provides individuals in the nursery with protection from victimisation or punishment where they raise a genuine concern about misconduct or malpractice in the organisation. The policy is underpinned by the Public Interest Disclosure Act 1998, which encourages people to raise concerns about misconduct or malpractice in the workplace, in order to promote good governance and accountability in the public interest. The Act covers behaviour, which amounts to:

* A criminal offence
* Failure to comply with any legal obligation
* A miscarriage of justice
* Danger to health and safety of an individual and/or environment
* Deliberate concealment of information about any of the above.

It is not intended that this policy be a substitute for, or an alternative to the formal Grievance Procedure, but is designed to nurture a culture of openness and transparency within the organisation, which makes it safe and acceptable for employees and volunteers to raise, in good faith, a concern they may have about misconduct or malpractice and for the organisation to respond to concerns and make employee(s) aware of how to pursue them, if they are not satisfied.

# **Procedures**

This procedure outlines how serious concerns about the setting can be reported. The types of serious concerns may include:

Unlawful conduct, financial malpractice, dangerous activity, concerns about how the nursery is run, fraud concerns relating to the safeguarding of children, concerns about the conduct of others in the setting or the way in which the setting is run.

**How to report concerns**

The earlier a concern is raised the easier it is for action to be taken.

Concerns can be raised in writing or verbally.

This policy encourages you to put your name to your allegation whenever possible. Concerns raised anonymously are much less powerful. It is also much more difficult for us to look in to anonymous concerns and to protect you if you need protection. Concerns raised anonymously will be considered at the nursery’s discretion

* In the first instance reports should be made to the nursery manager
* The setting understands that sometimes nursery staff or other individuals may need to be bypass the nursery manager. Concerns should then be made directly to the chair of the committee.
* Where a staff member feels unable to raise an issue with the nursery school or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them. Sometimes it may be appropriate to bypass the nursery completely:
  + general guidance on whistleblowing can be found via: Advice on Whistleblowing; and
  + the NSPCC’s what you can do to report abuse dedicated helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk.

Concerns can be raised directly with:

* + The Director of Children’s Services at Wokingham Borough Council on 0118 974 6055 to seek guidance on how to proceed.
  + Ofsted whistleblowing Hotline 0300 123 3155 email: [whistleblowing@ofsted.gov.uk](about:blank)

**How we treat reports**

* Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially. This may include internal investigations, referral to the local safeguarding team or to the police.
* Any urgent action required will be taken prior to any investigation
* The outcomes of the investigation will be reported back to the individual who raises the concern, subject to any legal constraints.
* An individual will not be victimised for raising a matter under this procedure. The individual’s position will not be prejudiced because a concern has been raised.
* Victimisation of an individual for raising a qualified concern will be a disciplinary offence.
* If a malicious, vexatious or false allegation is made then this will be considered to be a disciplinary offence and disciplinary action will be taken.

**Legal framework/Guidance**

Keeping children Safe in Education September 2020 [Keeping Children Safe in Education 2019 - Part one (publishing.service.gov.uk)](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/912593/Keeping_children_safe_in_education_part_1_Sep_2020.pdf)

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| **This policy was adopted at a meeting of the**  **Meadow Nursery School Parents’ Association Committee** | |
| **Held on** | 31st March 2014 |
| **Policy reviewed** | March 2021 |
| **Date to be reviewed** | March 2022 |
| **Signed by Chair** |  |
| **Name** | Jo Hargreaves |
| **Signed by Nursery Manager** |  |
| **Name** | Debbie Hill |