



WHISTLEBLOWING POLICY

LEGISLATION

This policy has been written to take account of the Public Interest Disclosure Act 1998 which protects workers making disclosures about certain matters of concern, where those disclosures are made in accordance with the provisions of the act.

The Act is incorporated into the Employment Rights Act 1996, which also protects employees who take action or raise concerns about health and safety at work.

The word "whistleblowing" in this policy refers to the disclosure by workers of malpractice and illegal acts or omissions in the setting.

At Culverstone Green Nursery we are committed to achieving the highest possible standards of service and the highest possible ethical standards. In order to achieve these ends we encourage freedom of speech and encourage staff to use the internal mechanism for reporting malpractice or illegal acts or omissions by employees past or present.

Culverstone Green Nursery has a range of policies and procedures which deal with standards of behaviour at work including: Discipline, Grievance and Recruitment and Selection. Employees are encouraged to use these procedures when appropriate. However there are occasions when the matter is not about the personal employment position and requires a different procedure.

Examples may include:

- Malpractice or ill treatment of a child.
- Repeated malpractice or ill treatment of a child despite a complaint being made.
- A criminal offense has been, is being or is likely to be committed.
- Suspected fraud.
- Disregard for legislation particularly with regard to health and safety at work.
- Disregard for legislation with regard to Safeguarding children.
- The environment has been or is likely to be damaged.
- Breach of standing financial instructions.
- Showing undue favour over a contractual matter or to a job applicant.
- A breach of the code of conduct.
- Information that any of the above is being concealed.

Culverstone Green Nursery will not tolerate any harassment or victimisation of a whistleblower (including informal pressure) and will treat this as a serious disciplinary offense to be dealt with under the disciplinary rules and procedures.

Culverstone Green Nursery recognises that employees may wish to seek advice and be represented by their trade union officers when using the provisions of this policy and acknowledges and endorses the role of trade union officers in this area.

The following person has been nominated and agreed by the committee as the designated officer for concerns under this procedure.

Jan Dyer - Manager

Tel: 01732 822568

She will be the point of contact for employees who wish to raise concerns under the provisions of this policy.

When concerns are raised with the designated person, she will:

- Arrange an initial interview which will, if requested, be confidential. At this interview the area of concern will be identified. (At this stage the whistleblower will be asked whether she wishes her identity to be disclosed and be assured of the protection from possible victimisation and reprisals)
- Ask the whistleblower if she wishes to make a verbal or written statement.
- Write a brief summary of the interview which will be agreed by both parties.
- Report to the Chairperson of the committee who will, if necessary, be responsible for commissioning any further investigation.

If the concern should be about the Supervisor it should be raised directly with the chairperson of the committee:

Ms Leonie Garner

Tel: 07946416597

Staff can receive free advice with regards to whistleblowing via the NSPCC advice line:

0800 0280285

THE INVESTIGATION

The investigation may need to be carried out under the terms of strict confidentiality. ie by not informing the subject of the complaint until (or if) it is necessary to do so. This may be appropriate in suspected cases of fraud

In certain cases such as allegations of ill treatment or abuse of children it will be necessary to suspend the employee immediately pending the investigation.

In all cases the protection of the children is paramount.

The designated person will keep the whistleblower informed about the investigation and its outcome.

If the outcome of the investigation is that there is a case to be answered then the setting disciplinary procedure will be followed.

When the investigation finds that there is no case to answer but the whistleblower was deemed to have had a genuine concern and did not act maliciously, the designated person will ensure that the whistleblower suffers no reprisals.

If the accusation was judged to have been made maliciously then the setting disciplinary procedures will be followed.

INQUIRY

If the concern raised is very serious or complex it may become necessary to hold an enquiry.

Following the enquiry the chairman of the committee will brief the designated person as to the outcome. The designated person will then arrange a meeting with the whistleblower within 28 days to give feedback on the investigation. This will not include any disciplinary measures taken as these will remain confidential to the individual concerned.

If the whistleblower is not satisfied with the outcome of the investigation Culverstone Pre-school recognises the lawful rights of employees and ex-employees to make disclosures to prescribed persons such as the Health and Safety Executive, the Audit Commission, OFSTED or any other outside authority deemed appropriate.

Signed.....

Date.....

Reviewed February 2016