



Whistle-blowing and raising concerns at work



The official name for whistle-blowing is 'making a disclosure in the public interest'. If staff or volunteers believe there is malpractice in the Nursery, they should report this by following the correct processes. Their employment rights are protected and they cannot be victimised by the employer.

Whistle-blowers are protected for public interest, to encourage people to speak out if they find malpractice in an organisation or workplace.

Malpractice could be improper, illegal or negligent behaviour by anyone who works with or within the Nursery.

When should the whistle-blowing procedure be used?

To be protected as a whistle-blower, a worker needs to make a 'qualifying disclosure' about malpractice. This could be a disclosure about:

- threats/risks to the welfare, health or safety of a child or adult
- criminal offences
- failure to comply with a legal obligation
- miscarriages of justice
- damage to the environment
- a deliberate attempt to cover up any of the above.

It is the responsibility of all staff to report any improper, illegal or negligent behaviour in or connected with the Nursery.

This procedure is appropriate where a worker has genuine concerns about activities in or connected with the Nursery. It is not designed to replace or be used as an alternative to the grievance procedure.

The Nursery's Safeguarding Policy must be followed where a disclosure is made relating to the safeguarding of a child.

Whistle-blowing protection applies where the person making a disclosure reasonably believes that the information disclosed, and any allegations contained in it, are substantially true. If any disclosure is made in bad faith, or concerns information which is not substantially believed to be true, or if the disclosure is made for personal gain, then such a disclosure will constitute a disciplinary offence.

If a disclosure is made in good faith, but is not confirmed by any subsequent investigation, then no action will be taken against the whistle-blower.

Victimisation of an individual for raising a disclosure will be a disciplinary offence.

Action to be taken by the whistle-blower:

- Concerns should normally be reported in the first instance to the manager. If this is not possible / appropriate, they should be reported to the chair or a member of management committee.
- Concerns can be reported verbally or in writing, and should include information about the malpractice and reasons for concern.
- The whistle-blower may nominate a colleague to be present during meetings in connection with the concerns raised.

Action to be taken by the Nursery

In the first instance the chair of the committee or Nursery Manager should immediately discuss the allegation with the LADO. The purpose of an initial discussion is for the LADO and case manager to consider the nature, content and context of the allegation and agree a course of action

LADO: Alison Beasley 01865 815956

- The Nursery must investigate any matter raised under this procedure thoroughly, promptly and confidentially.
- The Nursery’s managing body must decide whether the matter falls within the scope of the club’s other policies and procedures.
- The Nursery’s managing body will investigate the matter and take action as appropriate.
- If the whistle-blower or anyone else connected with the club is asked or instructed to cover up malpractice, this is itself a disciplinary offence.
- If malpractice is revealed as a result of any investigation under this procedure, the nursery’s disciplinary procedure will be used, in addition to any appropriate external measures.
- The whistle-blower will be informed of the outcome.

Signed on behalf of the Management Committee:

..... Chairperson

This policy was updated by the Manager and staff and will be updated annually.
Next due to be updated: September 2020

“Horspath Nursery is committed to safeguarding and promoting the welfare of children, families and staff at all times.”