

Whistle Blowing Procedure

At Stepping Stones Co-op Nursery we recognise that our staff are often in the best position to know when the interests of others are being put at risk. We also recognise that staff can act as an early warning system on matters of safeguarding, health and safety or to help uncover fraud and mismanagement in the workplace.

We recognise that some staff may feel reticent about disclosing such information because they:

- ❖ feel that they are being disloyal to their colleagues
- ❖ fear reprisals through harassment or victimisation; or are unsure of the best way to proceed.

Whatever the reason, they may believe it is easier to ignore their concern which may be just a suspicion.

In any situation the Public Interest Disclosure Act 1998 is designed to provide protection to individuals, who make certain disclosures of information in the public interest, from detriment or dismissal.

Stepping Stones Co-op Nursery is committed to ensuring that all its activities are conducted ethically, honestly and to the highest possible standard of openness and accountability to protect and safeguard the needs of all staff, children and their families.

In line with that commitment we aim to create an environment where concerns about any activity can be disclosed without the fear of detriment or dismissal.

When to use this procedure

Stepping Stones Co-op Nurseries Whistle Blowing Procedure may be used when there is reasonable belief that any of the following may be a concern:

- ❖ that a criminal offence has been committed, is being committed or is likely to be committed;
- ❖ that a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject;
- ❖ behaviour that has, or may have, harmed and/or committed a criminal offence towards a child
- ❖ conduct towards a child indicates he/she is unsuitable to work with children
- ❖ that a miscarriage of justice has occurred, is occurring or is likely to occur
- ❖ that the health and safety of any individual has been, is being or is likely to be endangered;
- ❖ that the environment has been, is being or is likely to be damaged

Issues that might be the subject of concern that do not fall into any of the above categories may be covered by other Nursery procedures. Therefore the appropriateness of using one or more of the following procedures should be considered in the first instance by those wishing to raise concerns:

- ❖ Code of Employee Conduct;
- ❖ Equal Opportunities Policy
- ❖ Disciplinary / Grievance Procedure

- ❖ Complaints Procedures
- ❖ Safe Recruitment and Selection Procedures.

This procedure is designed to offer protection to those workers who make disclosures provided the disclosures are:

- ❖ in good faith;
- ❖ in the reasonable belief that the information disclosed, and any allegation contained within it, are substantially true; and
- ❖ not made for the purposes of personal gain.

When a disclosure is made in line with the above, nursery will not tolerate harassment or victimisation (including informal pressure) of the Whistleblower. All cases of suspected harassment or victimisation of the Whistleblower will be investigated under our grievance / disciplinary / code of conduct procedures. If harassment or victimisation is proved, the perpetrator will be considered to be guilty of a disciplinary offence and will be subject to appropriate disciplinary action in accordance with our Disciplinary Procedure.

All whistle blowing concerns raised will be treated with the strictest confidence and ...Stepping Stones Co-op Nursery will make every effort not to reveal the identity of the person (the Whistleblower) making the disclosure, unless required by law. Depending on the nature of the concern and the outcome of the resulting investigation, the Whistleblower may be required to come forward as a witness. The identity of the Whistleblower shall not be made known to the person(s) who are subject of the disclosure without the Whistleblower being previously informed. A Whistleblower wishing to remain known only to the person(s) involved in the investigation shall have the option of withdrawing the disclosure if the continuation of the investigation would necessarily lead to their identification to the person(s) who are subject to the disclosure.

Whistleblowers are encouraged to put their names to any disclosures they make, as anonymous disclosures may prohibit the action that Stepping Stones Co-op Nursery can take against person(s) subject to the disclosure. Also, it makes it difficult to provide feedback to the Whistleblower and to ask follow up questions.

If a disclosure is made in good faith but is not confirmed through investigation, no action will be taken against the Whistleblower and the Manager / Responsible Officer will ensure that he or she suffers no reprisals. However, if there is evidence that a malicious and false disclosure has been made by the Whistleblower, then disciplinary action may be taken.

Individuals should raise Whistle blowing concerns as soon as they have reasonable suspicion and are not expected to investigate the matter themselves or prove that the concern is well founded.

How to raise a concern

Staff are encouraged to first raise their concerns with the Nursery Manager (if appropriate) who will then be responsible for taking the matter forward. If individuals believe that the concern is of a serious enough nature or that management is involved, they should approach company directors.

Individuals may also contact the initial Response Team directly on **08458 505010**

Or the Ofsted Whistle Blowing hotline service on **0300 123 3155** (Monday to Friday from 8.00am to 6.00pm).

Email: whistleblowing@ofsted.gov.uk.

Or in writing to: WHBL

Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Independent support and advice may also be gained in person, by telephone from:

Kirsty Wilkinson: Education Development Adviser / Lead Safeguarding Support

Tel **03000268925** or by email kirsty.wilkinson@durham.gov.uk

Recording, investigating and reporting the concern

The first person to receive the Whistleblower's concern should record the details on a Whistleblower concern record form.

For all matters relating to children concerns must be discussed with the Initial response team **085458505010** or advice sought through the Ofsted whistle blowing hotline.

When requested, where appropriate and within legal guidelines Stepping Stones Co-op Nursery will aim to provide feedback to the Whistleblower.

Stepping Stones Co-op Nursery will give as much feedback as possible after considering the legal implications and the confidentiality it owes to other employees. Any feedback given to the Whistleblower will be recorded and kept in Nursery unless this might compromise any investigation. (Records kept according to current EYFS 2008 Statutory requirements)

At all times the Whistleblower is encouraged to seek further advice if they see further evidence that the wrongdoing is continuing or if they are anxious about some perceived or actual reprisal.

All Staff are reminded that they have an obligation of confidentiality to Stepping Stones Co-op Nursery and must ensure that confidential matters relating to the work and successful administration of the Nursery are not improperly disclosed.

Reviewed – Oct. 15

