



Whistleblowing Policy

Whistleblowing is the term used when a worker passes on information concerning wrongdoing.

At Chapeltown Community Nursery, we expect all of our colleagues, both internal and external, to be professional at all times and hold the welfare and safety of every child as their paramount objective.

We recognise that there may be occasions where this may not happen. We therefore have a procedure in place for staff to disclose any information that suggests children's welfare and safety may be at risk.

We expect all members of the staff team to talk through any concerns they may have with their line manager at the earliest opportunity, to enable any problems to be resolved as soon as they arise.

Legal framework

The Public Interest Disclosure 1998, commonly referred to as the 'Whistleblowing Act', amended the Employment Rights Act 1996, to provide protection for employees who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'. On the 25th of June 2013, there were some legal changes to what constitutes a qualifying disclosure. A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that any of the following is being, has been or is likely to be committed:

- A criminal offence
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- A breach of any other legal obligation
- An act that may be deemed as radicalised or a threat to national security
- Concealment of any of the above
- Any other unethical conduct

The Public Interest Disclosure Act has the following rules for making a protected disclosure:

- You must believe it to be substantially true
- You must not act maliciously or make false allegations
- You must not seek any personal gain.

It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be committed; a reasonable belief is sufficient.

Disclosure of information

If, in the course of your employment, you become aware of information which you reasonably believe indicates that a child is/may be or is likely to be in risk of danger and/or one or more of the following, you **MUST** use the nursery's disclosure procedure set out below:

- That a criminal offence has been committed or 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
- 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
- That information tending to show any of the above has being, is being or is likely to be deliberately concealed.

Disclosure procedure

- If the information relates to child/protection/safeguarding issues, then the nursery Safeguarding Children/Child Protection policy should be followed
- Where you reasonably believe one or more of the above circumstances has occurred, you should promptly disclose this to your manager so that any appropriate action can be taken. If it is inappropriate to make such a disclosure to your manager (i.e. because it relates to your manager) you should speak to either the Deputy Manager or the safeguarding representative of the management committee - Ruth Matthews (see safeguarding contact details available on staff noticeboard)
- Employees will suffer no detriment of any sort for making such a disclosure in accordance with this procedure. For further guidance in the use of the

disclosure procedure, employees should speak in confidence to the Nursery Manager

- Any disclosure or concerns raised will be treated seriously and will be dealt with in a consistent and confidential manner. This will be followed through in a detailed and thorough manner
- Any employee who is involved in victimising employees who make a disclosure, takes any action to deter employees from disclosing information or makes malicious allegations in bad faith, will be subject to potential disciplinary action, which may result in dismissal
- Failure to report serious matters can also be investigated and potentially lead to disciplinary action, which may result in dismissal
- Any management employee who inappropriately deals with a Whistleblowing issue (e.g. failing to react appropriately by not taking action in a timely manner or disclosing confidential information), may be deemed to have engaged in gross misconduct, which could lead to dismissal
- We provide all of our staff with the telephone numbers of the Local Authority Designated Officer (LADO), the local authority children's social care team and OFSTED, so that all staff may contact them if they cannot talk to anyone internally about the issues/concerns observed.
 - Local Authority Designated Officer (LADO) - 0113 378 9687
 - Children's Social Work Services - 0113 222 4403
 - Duty & Advice Team (9:00 am-5:00 pm) - 0113 376 0336
 - Children's Emergency Duty Team (out of hours) - 0113 535 0600
 - OFSTED - 0300 123 1231