



## WHISTLE BLOWING POLICY

Adopted August 2018

**Definition** – Whistle blowing is raising concern about malpractice within an organisation through an independent structure associated with it.

**Protection** – Toad Hall Nursery Ltd is committed to delivering a high quality service, promoting organisational accountability and maintaining public confidence. This policy provides individuals in the workplace with protection from victimisation or punishment where they raise a genuine concern about misconduct or malpractice in the organisation. This 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 obligations
- 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, an alternative to the nursery's 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. Employees and volunteers are entitled to expect fair and reasonable treatment from their employer and colleagues. The nursery has in place formal procedures that paid or unpaid staff can seek advice from organisations they see fit. The nursery accepts that there may be rare occasions in the organisation when situations arise which are legal, improper or unethical, or which are otherwise in conflict with the codes of practice of Social Care workers and Employers. The nursery is committed to providing paid and unpaid staff with an effective mechanism for dealing with such situations. An employee or volunteer who, acting in good faith, wishes to raise such concern should normally report the matter to the nursery manager or deputy manager who will advise the employee of the action he or she will take in response to the concerns expressed. Concerns will then be investigated and resolved as quickly as possible. If an employee or volunteer feels the matter cannot be discussed with the manager or deputy manager, then he or she should report it to the nursery owner Mrs Ackroyd she will then decide, in consultation with the local authority Early Years department where necessary, what action is to be taken. This may include whether the issue raised can be dealt with through the nursery's own Grievance procedures. A disclosure in good faith to the nursery manager, deputy manager or owner will be protected. Confidentiality will be maintained wherever possible and the employee or volunteer will not suffer any personal detriment as a result of raising any genuine concern about misconduct or malpractice within the setting.

Notes to this policy: The Public Interest Disclosure Act 1998 came into force in July 1999. The Act encourages people to raise concerns about malpractice in the workplace without fear of dismissal or victimisation and, helps to prevent cover up of serious malpractice.

Malpractice - Applies to people at work raising concerns about crime, civil offences (including negligence, breach of contract, breach of administrative law), miscarriage of justice, danger to health and safety or the environment and the cover up of any of these. It applies whether or not the information is confidential.

In addition to employees this policy applies to relief staff, trainees and student placements, and unpaid workers. There are no restrictions under employment law on minimum length of service and age. Under the Act, employees may safely seek legal advice on any concerns they have about malpractice. The Act does not presently cover volunteers. All staff members will have working knowledge of this policy.