



## **Whistle Blowing Policy**

### **Links to Key Legislation and guidance:**

- Children's act 1989 & 2004
- Convention of the rights of the child, UNICEF, 1989
- Statutory Framework for the Early Years Foundation Stage, DfE 2021
- Safeguarding Vulnerable Groups Act 2006
- Working together to safeguard children, DfE 2018

### **Policy Statement**

We expect child/children in our care to be looked after in an appropriate manner at all times. Therefore, it is vital that we have a transparent culture within our setting where our staff feel able to raise concerns that they may have at anytime. Whistle blowing is a term used when someone who works for Busy Bees wishes to raise a concern about malpractice. This policy is designed to empower practitioners, staff, students and volunteers of Busy Bees to understand their responsibilities in keeping our children safe. You must always disclose any information where you feel our children have been or could be at risk always raise your concern rather overlooking it.

### **Principles of Whistle Blowing**

- All practitioners, staff, students and volunteers have the right to raise a concern.
- Any employee who is involved in victimising employees who make disclosures, takes any action to deter employees from disclosing information or makes malicious allegations or disclosures in bad faith will be subject to potential disciplinary action.
- The setting will do its best to protect the identity of the whistle blower, however if disciplinary action is needed then the whistle blower may be asked to provide a

signed statement as part of the evidence. This will always be discussed with the whistle blower first.

- If this information relates to child protection/safeguarding then the nursery's 'Child protection Policy' must be followed.
- Those who raised the concern will be kept informed of progress and the outcome of any investigations.
- Employees will suffer no detriment of any sort for making such a disclosure.
- Any disclosure or concerns raised will be treated seriously and will be dealt with in a consistent and in a confident manner.
- 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 whistle blowing 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.
- The setting will not tolerate malicious allegations, these may be considered as a disciplinary offence.

## **Procedure**

- If a staff member feels that something is perceived as unlawful, failing to comply with settings policies and procedures, poor practice or improper conduct they must go and discuss these concerns with the nursery manager at the earliest opportunity.
- In the event of a concern being raised against the nursery manager, concerns are to be raised with our chair of directors, details can be found on the notice board located in the hallway.
- The manager will notify the directors immediately of the concern.
- If a safeguarding concern we will telephone the MASH team immediately for advice 01432 260800, and notify Ofsted of such concerns.
- The LADO may also need to be involved.
- Follow disciplinary procedures if necessary.

- A written record of accounts, including dates, times who involved etc shall be kept.
- Some concerns may be resolved by a conversation with agreed action.
- If the whistle blower is unhappy with how the complaint has been dealt with, they should challenge the manager and or directors, expressing their opinion. If they still feel unhappy, they have the right to contact Ofsted regarding their concern.