



**FAIRLANDS DAY NURSERY, CHURCH ROAD, SHEDFIELD, SOUTHAMPTON,
HAMPSHIRE, SO32 2HY.**

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Whistle Blowing Policy

A whistle blowing procedure is about the ways in which concerns about malpractice may be raised at Fairland's Day Nursery and if necessary outside the Nursery.

There is a balance to be struck between the right of the individual member of staff to speak freely on a range of matters and the right of the Nursery to protect itself against false and malicious accusations.

Statement of intent

Whistle blowing inside the work place is the reporting by workers or ex-workers of wrong doing such as fraud, malpractice, mismanagement, abuse of child protection procedures, breach of health and safety law or any other illegal or unethical act either on the part of management or fellow employees. Workers may include volunteers or temporary staff.

Our intentions are to:

- Create an ethical open culture.
- Establish safe routes for communications of concerns.
- Protect the whistle blower: make it clear that the Nursery will support and not discriminate against concerned employees provided their claim is made in good faith.
- Establish a fair and impartial investigation.
- Remind staff of the duty of confidentiality: see our confidentiality policy.
- Safeguard against abuse of the procedure: ensure that the malicious raising of unfounded allegations is recognised as a disciplinary offence.

- Involve management and staff in developing the procedure: there will be a sense of organisational ownership of a whistle blowing procedure.
- Review.

Methods

- If an allegation is made, or a concern arises, about a member of staff or volunteer, ensure that the Lead Practitioner for Safeguarding; either Carol Plumpton or Jo Skinner is informed immediately and they will contact the Local Authority Designated Officer (LADO) Mark Blackwell (01962 876364) and Sheila Sahota at Services for Young Children (SfYC) (02380650034). The LADO is available to provide advice or support in any allegations process, including advising whether or not immediate suspension of the person concerned should be initiated.
- If the LADO is unavailable, the Lead Practitioner will contact the Children's Reception Team at Children's Services on 03005551384 or the out of hours service on 03005551373. In an emergency they will phone the police. Any records should be kept locked in a filing cabinet in the office.
- The member of staff or volunteer should be treated fairly and honestly, helped to understand the concerns expressed, the process being followed and any outcomes of the process. The Lead Practitioners should seek advice from the LADO, the Children's Reception Team or the Police before informing the person who is subject to an allegation.

Should it be alleged that a Lead Practitioner is involved in the alleged malpractice an alternative Lead Practitioner should be contacted to act as an Assessor or the LADO.

If the Representative feels unable to raise their concern with a Lead Practitioner or supervisor in the first instance, they may contact the LADO direct. If this occurs the Representative will be asked to justify why they feel unable to raise the concern with their Lead Practitioner or supervisor.

- The Assessor or LADO should:

Interview the Representative within seven working days, in confidence, or earlier if there is an immediate loss of life or serious injury.

Obtain as much information as possible from the Representative about the grounds for the belief of malpractice.

Consult with the Representative about further steps which could be taken.

Advise the Representative of the appropriate route if the matter does not fall under the Nursery's whistle blowing procedure.

- At the interview with the Assessor / LADO the Representative may be accompanied by a work colleague. The Assessor / LADO may be accompanied by a member staff to take notes.
- Within ten working days of the interview the Assessor / LADO will recommend one of the following:

The matter be investigated internally.

The matter be reported to Ofsted.

The matter be reported to the police.

- The grounds on which no further action is taken include:

The Assessor / LADO is satisfied that, on the balance of probabilities, there is no evidence that malpractice has occurred, is occurring or likely to occur.

The Assessor / LADO is satisfied that the Representative is not acting in good faith.

The matter is already (or has been) the subject of proceedings under another of the Nursery's policies.

The matter concerned is already the subject of legal proceedings or has already been referred to the police or Ofsted.

- Should it be alleged that a member of management is involved in the alleged malpractice; the Assessor / LADO's recommendation will be made to another member of management.
- The recipient of the recommendation will ensure that it is implemented unless there is a good reason for not doing so.
- The Representatives identity will be kept confidential unless the Representative otherwise consents or unless there are grounds to believe that the Representative has acted maliciously.
- The conclusion of any agreed investigation will be reported by the Assessor / LADO to the Representative within twenty eight days.
- All responses to the Representative will be made in writing and sent to their home address.
- The Representative may at any time disclose the matter on a confidential basis to a professionally qualified lawyer for the purpose of taking legal advice.

Malicious Accusations

- Deliberately false or malicious accusations made by the Representative will be dealt with by management in line with the Nursery's policies.

This policy was adopted at Fairland's day Nursery on

..... (date)

Signed on behalf of the Management Committee/Proprietor

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Role of signatory (e.g. chairperson etc.)

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This policy was amended on

..... (date)

..... (date)

..... (date)