1:7 Whistleblowing – guidance and policy

for Nacton and Bucklesham Under 5’s

Definition:

Whistleblowing is raising a concern about misconduct or malpractice within an organisation.

* Our setting is committed to delivering a high quality service which is accountable and maintains public confidence.
* We will not accept or condone any behaviour by staff or other adults associated with the setting that is contrary to the setting’s aims and objectives, policies and procedures.

The policy provides individuals in the workplace with protection from victimisation or punishment where they raise a genuine concern about misconduct or malpractice in the setting. The 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 obligation
* A miscarriage of justice
* Danger to health and safety of an individual and/or environment
* Deliberate concealment of information about any of the above.

Condition for raising concerns:

The Public Interest Disclosure Act 1998 legislation and this policy offers protection only if the:

* Internal disclosure is made in good faith and there is reasonable suspicion that the alleged malpractice has occurred/ is occurring or is likely to occur.
* Disclosure to a Regulator (e.g. Ofsted and LSCB,) meets the above criteria and the member of staff concerned honestly and reasonably believes the allegations are substantially true.

 For protection under the legislation external disclosure must also meet one or more of the following conditions:

* The staff or volunteer believe they would be victimised if they raised the matter internally
* There is no prescribed regulator and the staff or volunteer believe the evidence would be concealed or destroyed
* The concern had already been raised with the employer or regulator and had not been dealt with adequately or appropriately
* The concern is of an exceptionally serious nature.

This policy is designed to nurture a culture of openness and transparency within the setting, which makes it safe and acceptable for staff and volunteers to raise, in good faith, a concern they may have about misconduct or malpractice, by ensuring that:

* Staff and volunteers are encouraged to report any instances of unsatisfactory practice that they observe at the setting
* Staff and volunteers are encouraged to discuss any concerns they have in confidence and privacy with the manager/s.
* An open door policy exists for all staff to enable them to express concerns at any time.

Raising a concern:

* Public Concern at Work has a very helpful website- [www.pcaw.org.uk](http://www.pcaw.org.uk)

and advice line on 020 3117 2520

* An employee or volunteer who, acting in good faith, wishes to raise such a concern should normally report the matter to the manager/s who will advise the employee or volunteer of the action that will be taken in response to the concerns expressed. Concerns should be investigated and resolved as quickly as possible with the support of the Local Authority Designated Officer if necessary.
* If an employee or volunteer feels the matter cannot be discussed or resolved with the manager or the Chair they should contact the Local Authority Designated Officer (LADO) or OFSTED on 0300 123 1231 for advice on what steps to follow.

A disclosure in good faith to the manager/s 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 organisation.

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| This policy was adopted at a meeting of |  | name of setting |
| Held on |  | (date) |
| Date to be reviewed |  | (date) |
| Signed on behalf of the management committee |  |
| Name of signatory |  |
| Role of signatory (e.g. chair/owner) |  |