



WHISTLE BLOWING

A whistle blowing procedure is about the ways in which concerns about malpractice may be raised at Tree Tops Day Care 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 commitment

Tree Tops Day Care is committed to the highest possible standards of openness, and accountability. In line with that commitment we expect staff, and others that we deal with, who have serious concerns about any aspect of the Nursery's operation to come forward and voice those concerns.

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.

Methods

- If an allegation is made, or a concern arises, about a member of staff or volunteer, ensure that the Lead Practitioner for Safeguarding- Ann Virk or Karolina Solly is informed immediately and they will contact the Local Authority Designated Officer (LADO). Updated contact numbers are displayed on staff notice board. 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.

- 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 LADO the Representative may be accompanied by a work colleague.

Within ten working days of the interview the 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:

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

The recipient of the recommendation will ensure that it is implemented unless there is a good reason for not doing so.

The conclusion of any agreed investigation will be reported by the LADO to the Representative within 28 days.

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.