

Stepping Stones Creche/Nursery



WHISTLE BLOWING **POLICY AND PROCEDURE**

This policy should be used when employees have concerns that the interests of others are at risk for example:

- Criminal activities and any activities, suspected or on-going, which may break the law (including fraud, any form of child abuse, or the abuse of other vulnerable clients)
- Disregard for legislation, nursery rules, policies and procedures
- The mistreatment of a service user which may endanger the health and safety of that service user

This list is not exhaustive

Employees are protected by law (under the Public Interest Disclosure Act 1998) from any victimisation for having raised any issues where they reasonably believe that:

- a. a criminal offence has been committed, is being committed or is likely to be committed,
- b. a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject,
- c. a miscarriage of justice has occurred, is occurring or is likely to occur,
- d. the health or safety of any individual has been, is being or is likely to be endangered,
- e. the environment has been, is being or is likely to be damaged, or
- f. information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

Employees raising issues, and managers investigating them, will suffer no detriment as a result provided they act in good faith i.e. they genuinely believe that there is, or may be, substance in their allegations.

The Company will not tolerate any harassment or victimisation of a whistle-blower (including formal pressures), and will treat this as a serious disciplinary offence, which will be dealt with under the Disciplinary Procedure.

- An employee can raise concerns orally or, preferably, in writing.
- Any concerns raised by an employee will be dealt with promptly.
- The concerns will be considered as thoroughly as possible by the most relevant person, whether this be an internal manager or some appropriate external officer or organisation delegated by the Company.
- Employees have the right to seek assistance and advice from a trade union representative or work colleague, and to be accompanied by a trade union representative or work colleague at all meetings held under this procedure.

- If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

Employees' Responsibilities

Employees must:

- raise concerns (orally or in writing) in confidence using the procedures which are set out in this document;
- never carry out their own investigation;
- assist with any investigation into their concerns, including attendance at meetings, replying to requests for information, and providing signed statements as appropriate;
- immediately pass any evidence to the investigating manager/official;
- always act honestly and in good faith when raising and pursuing concerns through this policy; and
- inform the investigating manager/official if they have a personal interest in the matters under investigation.

How to raise a concern

As a first step, an employee should raise concerns with their immediate manager or supervisor who will then deal with the concern appropriately.

Concerns are better raised in writing. Employees are invited to set out the background and history of their concern, giving names, dates and places where possible, and the reason why they are particularly concerned about the situation. If they do not feel able to put their concern in writing, they can telephone or meet the appropriate manager. **The earlier they express the concern, the easier it is to take action.**

Although an employee would not be expected to prove the truth of an allegation, they will need to demonstrate that there are sufficient grounds for concern.

An employee may invite a trade union representative or work colleague to raise a matter on their behalf.

RAISING A CONCERN WILL NOT AFFECT YOUR JOB IN ANY WAY. IT IS BETTER TO BE SAFE THAN SORRY IF YOU HAVE ANY CONCERNS