



Whistleblowing Policy

Introduction

Rachel McMillan staff are encouraged to work as a team, and are therefore accountable to each other for their working practices. It is expected that members of staff have an open and honest attitude to discussing good practice and learning from each other. Conflict, personality clashes and minor disagreements should be dealt with promptly one to one or with the help of the line manager. However, 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 work to come forward and voice these concerns.

Staff are often the first to realise that there may be serious concerns within an organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

This policy makes it clear that reporting a concern can be done without fear of victimisation, subsequent discrimination or disadvantage. This whistle-blowing policy is intended to encourage and enable staff to raise serious concerns within the Centre rather than overlooking a problem or 'blowing the whistle' outside.

AIMS OF THIS POLICY

This policy aims to:

- encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues for staff to raise those concerns and receive feedback on any action taken
- ensure that a response to concerns is received and that staff are aware of how to pursue them if not satisfied
- reassure staff that they will be protected from possible reprisals or victimisation if a disclosure is made in good faith.

Staff should follow the Grievance Procedure for matters relating to their own employment. The whistle-blowing policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- conduct which is an offence or a breach of law
- health and safety risks, including risks to children as well as other staff
- damage to the environment which has or is likely to occur
- the misuse of funds
- sexual or physical abuse of children, or
- other unethical conduct

Thus, any serious concerns about any aspect of Rachel McMillan's provision or the conduct of fellow staff members can be reported under the whistle-blowing policy.

SAFEGUARDS

Harassment or Victimisation

Rachel McMillan is committed to good practice and high standards and aims at all times to be supportive of staff.

It is recognised that the decision to report a concern can be a difficult one to make. However, staff are encouraged to raise concerns in order to protect young people and other staff members.

Harassment or victimisation (including informal pressures) will not be tolerated, and appropriate action will be taken to protect anyone who raises a concern in good faith.

CONFIDENTIALITY

All concerns will be treated in confidence and every effort will be made not to reveal the identity of the staff member making the report if so desired. At the appropriate time, however, it may be necessary to come forward as a witness.

ANONYMOUS ALLEGATIONS

Staff are encouraged to put a name to an allegation whenever possible because concerns expressed anonymously are much less powerful.

In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern; and the likelihood of confirming the allegation from attributable sources.

UNTRUE ALLEGATIONS

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

HOW TO RAISE A CONCERN

As a first step, concerns of a serious nature should be raised initially with the immediate Line Manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example if there is evidence that the leadership are involved, the Chair of Governors should be approached.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- the background and history of the concern (giving relevant dates);
- the reason why you are particularly concerned about the situation.

The earlier the concern is expressed the easier it is to take action.

Although it is not expected that staff prove beyond doubt the truth of an allegation, it will be necessary to demonstrate to the person contacted that there are reasonable grounds for concern.

HOW RACHEL MCMILLAN NURSERY SCHOOL AND CHILDREN'S CENTRE WILL RESPOND

Rachel McMillan Nursery School and Children's Centre will undertake to respond to concerns - however, testing out concerns is not the same as either accepting or rejecting them. The Line Manager will refer the matter to the Headteacher if deemed necessary. The Headteacher will act as the "Responsible Person" and will direct any internal investigation and decide whether to refer the allegations to an outside agency.

Matters raised may:

- be investigated by the Leadership Team and the Governors where appropriate
- be referred to the police
- be referred to social care

In order to protect staff from malicious allegations, initial investigations will determine whether further action should be taken, but at all times the overriding consideration will be the safeguarding and protection of the children where relevant.

Where an investigation has to be undertaken, it will be the responsibility of the Headteacher and the Chair of Governors to determine whether suspension of a member of staff may be necessary.

Other Governors will be informed of the decision, but will not be given details of the investigation in order for them to remain neutral pending any appeal.

Within ten working days of a concern being raised, the responsible person will write:

- acknowledging that the concern has been received
- indicating how it is proposed to deal with the matter
- giving an estimate of how long it will take to provide a final response
- indicating whether any initial enquiries have been made
- supplying information on staff support mechanisms, and
- outlining whether further investigations will take place and if not, why not

The Headteacher will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, if a staff member is required to give evidence in criminal or disciplinary proceedings, advice and support will be offered.

Rachel McMillan Nursery School and Children's Centre undertakes to inform a staff member making an allegation of the outcome of any investigations subject to legal restraints

THE RESPONSIBLE OFFICER

The Headteacher also acts as the Monitoring Officer and has overall responsibility for the maintenance and operation of this policy and for keeping records of allegations.

HOW THE MATTER CAN BE TAKEN FURTHER

Rachel McMillan Nursery School and Children's Centre will aim to resolve concerns appropriately - however if a staff member making an allegation is dissatisfied with the outcome, they are entitled to take the matter further. Suggested avenues are:

- Public Concern at Work (tel: 020 7404 6609), a registered charity whose services are free and strictly confidential
- Local Citizens' Advice Bureau