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Reviewed by JH 1/10/2024

WHISTLE BLOWING POLICY

Our Whistle Blowing Policy provides protection for staff who disclose information on wrongdoing at work that might otherwise be confidential.

This provides protection to employees against being dismissed or penalised by their employers because of publicly disclosing certain serious concerns. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. However, where an individual discovers information that is believed to show malpractice or wrongdoing within Humming Bees Day Nursery, then this information should be disclosed without fear of reprisal and may be made independently of line management and the setting. For example, staff should be aware that they can contact SEYT (States Early Years Team).

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed for the question of financial or business decisions taken by the setting, nor may it be used to reconsider any matters that have already been addressed under harassment, complaint, or disciplinary procedures. It is expected that staff will use this policy rather than air their complaints outside the setting.

The setting will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential if it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required. This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the setting owner.

Procedures for Making a Disclosure

The individual should usually make the disclosure to their designated manager or deputy. This person will consider the information made available to them and decide on the form of investigation to be undertaken. Normally the person making this decision will consider the views of at least one other member of staff.

The decision may be:

- To investigate the matter internally
- To refer the matter to the police and/or SEYT

If the decision is that investigations should be conducted by more than one of these means, the designated person should be satisfied that such a course of action is warranted, the possibility of double jeopardy notwithstanding.

Investigations should not be carried out by the person who will have to reach a decision on the matter. Any investigation will be conducted as sensitively and speedily as possible.

As a result of this investigation other internal procedures may be invoked, such as:

- Disciplinary

- Grievance or Complaints
- Harassment
- Or it may form the basis of a special investigation

In some instances, it might be necessary to refer the matter to an external authority for further investigation. Cases alleging fraud.

The designated person will inform the individual making the disclosure what action, if any, is to be taken. If no action is to be taken, then the individual concerned should be informed of the reason for this and allowed the opportunity to remake the disclosure to another appropriate person.

The person or persons against whom a disclosure is made will be told if it, the evidence supporting it and will be allowed to comment before any investigation is concluded or further action commenced.

A report of all disclosures and any subsequent actions taken will be made by the designated person, who will retain such reports for a specified period.