



Fledgelings Day Nursery

Whistle Blowing Policy

Policy Name:	Whistle Blowing Policy
Adopted By:	Louise Farrow-Brookes
Next Review Date:	12/12/2026



Contents

1. Policy Overview	3
2. Disclosure of Information	3
2.1 Whistleblowing Definition	3
2.2 Legal Framework	3
2.3 Staff Suitability Concerns	4
3. Disclosure Procedure	5
4. How the Nursery Will Respond	6
5. Malicious or Vexatious Allegations.....	6
6. Confidentiality and Support	6
7. Appendix.....	7
8. Review History	7

1. Policy Overview

Employees are often the first to realise that there may be something seriously wrong within their setting. However, they may not express their concerns because they feel that speaking up would be disloyal to colleagues, or because they fear harassment or victimisation.

As an employee of the company, with a duty to ensure that children, families, visitors and other employees are respected and safe, you have a legal responsibility to report any concerns you have.

At Fledgelings Day Nursery, we are committed to the highest possible standards of openness and accountability. We encourage employees and others with genuine concerns about any person linked with the setting, including parents, carers and visitors, to come forward and voice those concerns.

This policy makes it clear that employees, parents, carers and others can raise concerns without fear of reprisals. The Whistle Blowing Policy is intended to encourage and enable concerns to be raised within the nursery rather than being overlooked.

The procedure allows employees, parents, carers and outside agencies to raise concerns about management, staff, parents, carers or outside agencies connected with the setting.

Whilst all colleagues, both internal and external, are expected to be professional at all times and to hold the welfare and safety of every child as their paramount objective, there may be occasions where this is not happening. It is vital that concerns are raised at the earliest opportunity so that appropriate action can be taken.

2. Disclosure of Information

2.1 Whistleblowing Definition

Whistleblowing is the term used when a worker passes on information concerning wrongdoing.

2.2 Legal Framework

The Public Interest Disclosure Act 1998, commonly referred to as the Whistleblowing Act, amended the Employment Rights Act 1996 to provide protection for employees who raise legitimate concerns about specified matters. These are called qualifying disclosures.

A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that any of the following is being, has been, or is likely to be committed:

- A criminal offence.
- A miscarriage of justice.
- An act creating risk to health and safety.
- An act causing damage to the environment.
- A breach of any other legal obligation or concealment of any of the above.
- Any other unethical conduct.
- An act that may be deemed as radicalised or a threat to national security.

Disclosures do not have to be made in good faith, but they must be made in the public interest. This is essential when assessing a disclosure made by an individual.

The Public Interest Disclosure Act has the following rules for making a protected disclosure:

- You must believe it to be substantially true.
- You must not act maliciously or make false allegations.
- You must not seek any personal gain.

It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be committed; a reasonable belief is sufficient.

2.3 Staff Suitability Concerns

All staff must understand their responsibility to ensure that people looking after children are suitable to fulfil the requirements of their roles. Any concerns regarding staff suitability must be reported to the Designated Safeguarding Lead or through the Process of Reporting an Accusation Against Staff Procedure (Appendix 1). Staff must be advised that delay or failure to whistle blow can result in disciplinary action and/or dismissal.

Issues that could affect suitability include, but are not limited to:

- Behaving in a way that has harmed a child or may have harmed a child.
- Possibly committing a criminal offence against, or related to, a child.
- Behaving towards a child or children in a way that indicates they may pose a risk of harm to children.
- Behaving in a way that might indicate they may not be suitable to work with children.
- Potential vulnerability to grooming which may present a risk to the staff member and/or the safety and wellbeing of children.
- Conduct relating to making or sharing inappropriate sexual comments, references and/or images.
- Involvement in criminal activity, for example illegal substances, violence, fraud or theft.
- Acting against the policies and procedures of Fledgelings Day Nursery.
- Falling below established standards of practice.
- Improper conduct.
- Health and safety risks, including risks to the public, children, colleagues, parents/carers and others.
- Contradicting Fledgelings Day Nursery's Code of Conduct.
- Contributing to a safeguarding risk involving children in the care of Fledgelings Day Nursery.
- A criminal offence that has been committed, is being committed, or is likely to be committed.
- A person failing, or being likely to fail, to comply with a legal obligation such as EYFS, Company Minimum Standards or Data Protection.
- A miscarriage of justice that has occurred, is occurring, or is likely to occur.

- Environmental damage that has occurred, is occurring, or is likely to occur.
- Information tending to show any of the above being deliberately concealed.

3. Disclosure Procedure

- 3.1** If the information relates to child protection, the nursery Child Protection Policy should be followed, with particular reference to the staff procedures.
- 3.2** Where you reasonably believe that one or more of the circumstances listed above has occurred, you should promptly disclose this to your Manager so that appropriate action can be taken. If it is inappropriate to make such a disclosure to your Manager, for example because it relates to your Manager or because you feel no appropriate action has been taken, you should speak to another Manager, preferably the Area Manager or the Company Proprietor.

Louise Farrow-Brookes | Area Manager | 07954 754 406

Salma Khodabaksh | Proprietor | 07793 204 504

- 3.3** If you do not wish to report your concerns to the people detailed above, you can contact Ofsted directly on 0300 123 155 or whistleblowing@Ofsted.gov.uk. You can also contact your local safeguarding team. Their details can be found on the Senior DSL poster in all rooms, toilet areas and the office, and in the Safeguarding Policy.

Emergency Contact Numbers

Service Name	Contact Name	Contact Number	Out of Hours
Multi Agency Safeguarding Hub (MASH)	MASH	01708 433 222	01708 433 999
Local Authority Designated Officer (LADO)	Lisa Kennedy	01708 431 653	Lado@havering.gov.uk
Prevent Duty	Emily Knight	01708 433 082	Emily.Knight@havering.gov.uk
NSPCC Whistle Blowing Advice Line	N/A	08000 280 285	N/A

- 3.4** Those making a disclosure will suffer no detriment of any sort for making such a disclosure in accordance with this procedure. For further guidance, employees should speak in confidence to the Nursery Manager or one of the Company Directors.
- 3.5** Any disclosure or concerns raised will be treated seriously, dealt with consistently and confidentially, and followed through in a detailed and thorough manner.
- 3.6** Any employee who victimises employees who make a disclosure, deters employees from disclosing information, or makes malicious allegations or disclosures in bad faith will be subject to potential disciplinary action, which may result in dismissal.

3.7 Any management employee who inappropriately deals with a whistleblowing issue, such as failing to react appropriately or disclosing confidential information, may be deemed to have engaged in gross misconduct, which could lead to dismissal.

4. How the Nursery Will Respond

4.1 The action taken by Fledgelings Day Nursery will depend on the nature of the concern. The matters raised may be investigated internally or referred to the Police.

4.2 Allegations referred directly to the LADO Officer or MASH will be dealt with in accordance with their policies and procedures. Any person who is the subject of an allegation should, at the appropriate time, be given details of the allegation in order to respond. Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures, such as safeguarding or discrimination, will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for an investigation.

5. Malicious or Vexatious Allegations

5.1 If an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, the employee makes a malicious or vexatious allegation, disciplinary action may be taken in accordance with Fledgelings Day Nursery's procedures.

6. Confidentiality and Support

6.1 At the nursery, we will do our best to protect someone's identity when they raise a concern. However, it must be appreciated that any investigation process may reveal the source of the information and a statement may be required as part of the evidence.

6.2 If you would like to speak to someone during this time or need further support, you can ask to be assigned a mentor. This will be someone employed by the company at another nursery. You may also speak with the person that you notified your concerns to. It is important that you only speak to an appropriate person and not to other staff members, families using the nursery, friends or family at home, as this would be a breach of confidentiality and could lead to formal proceedings being taken against you.

7. Appendix

Appendix	Description
1	Accusation Against Staff Poster

8. Review History

Date Approved	Reviewed By:
02/12/2023	Louise Farrow-Brookes
12/12/2025	Louise Farrow-Brookes