

Whistleblowing

What is Whistleblowing?

Whistleblowing is 'making a disclosure in the public interest', and occurs when a member of staff raises a concern about danger or illegality that affects others, for example the children, who attend the nursery. To make a whistleblowing disclosure you must:

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

Complaints that are personal grievances (e.g. bullying, harassment, discrimination) aren't covered by whistleblowing law. These can be reported to your line manager or raised through the supervision process.

When should you Whistle blow?

We expect all staff members to talk through any concerns they may have with their manager at the earliest opportunity to enable any problems to be resolved as soon as they arise.

All staff are made aware of their duty to raise concerns about the attitude or actions of staff in line with the nursery policies. If you feel your concerns have not been dealt with correctly, you should raise your concerns again with the Designated Safeguarding Lead and/or the Manager.

However, if you feel these concerns have not been dealt with and that a child is at risk call you should do one of the following:

- call the Ofsted Whistleblowing Hotline on 0300 1233155 (8am to 6pm, Monday to Friday) email whistleblowing@ofsted.gov.uk. Write to: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD
- Call the NSPCC National Whistleblowing Advice Line on: 0800 028 0285 (8:00am to 8:00pm, Monday to Friday) or email: help@nspcc.org.uk.
- contact the Local Authority Designated Officer (LADO) [lodo@walthamforest.gov.uk](mailto:lado@walthamforest.gov.uk) or 0208 496 3646

Employees will suffer no detriment of any sort for whistleblowing. For further guidance in the use of the disclosure procedure, employees should speak in confidence to the nursery manager/owners.

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'. On 25 June 2013, there were some legal changes to what constitutes a qualifying disclosure.

A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that:

- 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
- Acts that may be deemed as radicalised/a threat to national security

Is being, has been, or is likely to be, committed.