

Blackhall Nursery

Whistleblowing Policy

Definition

Whistleblowing is raising a concern about malpractice or misconduct within an organisation.

Protection

This policy provides Employees, members of the Parent and Carer Committee and the Board of Directors of Blackhall Nursery with protection from victimisation, reprisals or punishment when they raise a genuine concern about misconduct or malpractice within the Nursery. It is designed to create a culture of openness and transparency, which makes it safe and acceptable for employees and volunteers to raise, in good faith, a concern they may have about misconduct or malpractice. The Nursery follows the Scottish Social Services Council (SSSC) Codes of Practice for Social Service Workers and Employers in implementing this Whistleblowing Policy. In particular it recognises its obligation under that code to have systems in place to enable social service workers to report concerns which might impede the delivery of safe care.

This policy is underpinned by the **Public Interest Disclosure Act 1998**, which encourages people to raise concerns about misconduct or malpractice in the workplace. The Act covers behaviour which amounts to:

- A criminal offence (including negligence, breach of contract, breach of admin law)
- Failure to comply with a legal obligation
- A miscarriage of justice
- Danger to health and safety of an individual or environment
- Deliberate concealment of information about any of the above

This policy is not a substitute for the Nursery's formal grievance procedures which staff can use in circumstances where they feel they have been unfairly treated or discriminated against.

Procedure

Any employee, member of the Parent and Carer Committee or Director who, acting in good faith, wishes to raise a concern about malpractice or misconduct in relation to any matter affecting adults or children (including child protection issues) should report the matter to the Chair of the Board of Directors of Blackhall Nursery. If the matter relates to the Chair of the Board, it should be reported to the Nursery Manager*. The concern can be expressed in writing or orally, but if it is made orally, then the person expressing the concern must make it clear to the Chair that they are doing so under the terms of this policy. Concerns expressed will be acknowledged in writing by the Chair within 7 working days.

The Chair and one other individual nominated by the Chair, being either a Director, or the Nursery Manager, will investigate the matter and endeavour to resolve it as quickly as possible. The Chair and said individual will comprise the 'Investigating Committee' which will advise the individual raising the concern of their response and, if necessary, any action to be taken. This will be done in writing, within 21 days of the concerns being raised.

The Investigating Committee will keep a written record of the concern, the date it was made, the person who made it and the response. The record will be kept by the Chair of the Board of Directors and will not be accessed by or accessible to Nursery staff.

Depending on the nature of the concern the Investigating Committee may seek advice from appropriate bodies including the Care Inspectorate and/or the Communities and Families Department of the City of Edinburgh Council.

If the individual raising the concern is not satisfied with the said response by the Investigating Committee then they may, if they feel that it is necessary to do so, raise their concern with The Care Inspectorate , 3 C & D, Victoria Quay, Edinburgh, EH6 6QQ. Tel. 0345 600 9527, or visit www.careinspectorate.com.

A disclosure in good faith to the Chair of the Board will be protected as far as possible. Anonymity will be maintained wherever possible and the employee, committee member or director will not suffer any detriment as a result of raising any genuine concern about misconduct or malpractice at the Nursery. However, the investigation process may need to reveal the source of the information in order not to impede progress and complainants should be made aware of this. They may also be required to come forward as a witness at some point.

* Where a matter involving the Chair of the Board is being investigated, the Nursery Manager will take on the duties detailed in the procedure which would normally be carried out by the Chair of the Board.

This policy will be displayed on the Nursery noticeboard (situated just inside the playroom). All Nursery staff, members of the Parent and Carer Committee and Board of Directors will have their attention brought to it.

Contact details:

Board Chair: Nursery Manager:

Email: Email:

<p>This policy links to: Curricular Area: Health & Wellbeing Care Standard: 7.7 & 14.2 Quality Indicator: 5.8 UNCRC: Article 3</p>

Adopted on: 22.01.2025