# Whistleblowing Policy

| | |
|---|---|
| **Current version approved by Manager** | **March 2026** |
| **Current version approved by Board** | **March 2026** |
| **Review of policy** | **As and when required, this policy will be reviewed and updated** |

## 1. Introduction & Purpose of Policy

Whistleblowing is the reporting, by those working for or on behalf of the Pavilion Day Nursery (the Nursery), of suspected wrongdoing on the part of employees, management or the Directors. Such wrongdoing might include fraud, malpractice, breach of health and safety law or some other illegal act.

Pavilion Day Nursery is committed to achieving the highest possible standards of honesty, openness and accountability and relies on its employees to help maintain these standards. In pursuit of these aims, the Nursery encourages all individuals to raise concerns which they may have about the conduct or practices of others. This policy sets out how such concerns will be dealt with. It applies to all employees, volunteers and Directors. Other individuals performing work on behalf of the Nursery, such as agency workers and contractors, are also encouraged to use it.

This policy aims to give members of staff and others working on behalf of the Nursery the confidence to raise serious concerns, using the routes provided, and to reassure staff of the protection they are afforded when they have made a disclosure in good faith. It will be fairly and consistently applied in accordance with the Nursery's commitment to equal opportunities.

This procedure is for disclosures about matters other than a breach of the employee's own contract of employment. Such concerns should be raised under the grievance procedure.

## 2. Legislation

The legislation is designed to provide protection to workers who raise genuine concerns about specified matters. These are known as "qualifying disclosures". The specified matters are:

- Conduct which is a criminal offence;
- Breach of any other legal obligation;
- Disclosures related to miscarriages of justice;
- Health and safety risks, including risks to the public or children as well as other staff;
- Damage to the environment;

- Sexual harassment or a culture of misogyny/sexualised behaviour;
- Failures to take reasonable steps to prevent harassment in the workplace; or
- Deliberate concealment of any of the above.

A worker who makes a qualifying disclosure has the right not to be dismissed, subjected to any other detriment or victimised because he/she has made the disclosure. The Nursery will take a zero tolerance approach to any act of harassment or victimisation resulting from a member of staff raising a concern in good faith. A member of staff making an allegation within the scope of this policy will be supported by the Nursery when raising a concern, providing that he/she:

- Believes the concern to be true
- Is not acting maliciously or making false allegations
- Is not seeking any personal gain.

## 3. Raising a Concern

As a first step, a member of staff should normally raise concerns with his/her immediate line manager, the Nursery Manager or the Nursery's Child Protection Liaison Officer (CPLO) where this is appropriate to the nature of the concern. If the allegations involve the Nursery Manager, the member of staff should raise the matter with a Director of St Paul's Trading Ltd.

Concerns may be raised verbally or in writing, but the earlier the concern is expressed the easier it is to take any required action. Where a concern is raised verbally, the person hearing it must ensure that a written statement of it is made to assist with any subsequent investigation. Nursery management will take all concerns raised within the scope of this policy seriously and identify the appropriate level of investigation, taking external advice as necessary. The concerns raised will be treated in confidence, whilst recognising that the individual raising the concerns may need to come forward as a witness at a later date.

The whistle blower may invite a recognised trade union representative or a work colleague to be present during any meetings or interviews held in connection with the concerns raised.

If a worker requests that their identity be protected, it will not be disclosed unless the Nursery is required to do so in law. Whilst the Nursery will not refuse to consider anonymous reports, those making them must be aware that it is considerably more difficult to investigate matters properly in such circumstances or to resolve the concern satisfactorily.

While the Nursery encourages members of staff to raise their concerns internally, the Nursery also recognises that some staff may feel unable to do this and that they may therefore wish to contact an independent, external organisation (see section 6).

## 4. Investigating Concerns

Preliminary enquiries will be made into the concerns raised to establish whether a formal investigation is required. Immediate action may be taken – prior to an investigation being conducted – if there are concerns for the safety or welfare of children or others.

If a formal investigation is not to be undertaken, the reasons why will be explained to the individual as soon as possible. If an investigation is undertaken, this will normally be conducted by an appropriate senior individual with no previous involvement with the concerns raised. In certain cases, this may

involve Directors, a member of the Management Committee and/or an external independent investigator. The investigation will be conducted, where appropriate, in accordance with the Nursery's other relevant internal procedures which could involve the suspension of staff on full pay whilst the investigation is being carried out. Investigations involving child protection issues will not commence until external advice has been sought from the Local Authority Designated Officer.

Written records will be taken throughout the investigation and the employee will be kept informed of the likely timescale and progress of the investigation. The investigator will be responsible, where possible within 28 days, for reporting formally to the Nursery Manager and/or Director(s) of St Paul's Trading Ltd on the outcome of the investigation. The Nursery Manager and/or Director(s) of St Paul's Trading Ltd will be responsible for taking any necessary action, which may include reporting the matter to the regulatory agency or the police, and/or taking action under internal procedures (e.g. disciplinary or bullying and harassment). On conclusion of the investigation, the worker will be informed of the outcome and the proposed action to be taken, whilst respecting the confidentiality of individuals and any legal constraints.

## 5. Malicious or Vexatious Complaints

If a member of staff makes an allegation in good faith but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action is likely to be taken in accordance with the Nursery's disciplinary & capability procedure.

## 6. Contacting External Organisations

The Nursery encourages all staff to make use of the internal procedure before considering referring concerns outside the Nursery. If the member of staff feels that it is right to take the matter outside the Nursery, contact can be made with a recognised trade union, local Citizens Advice Bureau, relevant voluntary or independent organisation or legal advisor. The Public Interest Disclosure Act 1998 also sets out a number of bodies to which protected disclosures can be made, including HM Revenue & Customs, the Health and Safety Executive and the Serious Fraud Office. Employees should be aware that going directly to the press may limit their protection under the Public Interest Disclosure Act and they could therefore be subject to disciplinary action as a result. An employee considering such a course of action is strongly advised to seek prior advice from their trade union or an independent organisation such as Public Concern at Work (www.pcaw.co.uk).

## 7. Monitoring & Reporting

The Nursery Manager is the Responsible Officer for the Nursery and has overall responsibility for overseeing the operation of this policy and for ensuring that appropriate records are maintained of genuine concerns raised and the outcomes. The Nursery Manager will report as necessary to the Director(s) of St Paul's Trading Ltd and to other outside agencies.