

# Milford Pre-School Plus Ltd

## Whistle Blowing Policy

### **1) Policy Statement**

- 1.1) Milford Pre-School Plus Ltd is committed to achieving the highest possible standards of service and the highest possible ethical standards in public life and in all of its practices. To achieve these ends, it encourages staff to use internal mechanisms for reporting any malpractice or illegal acts or omissions by its employees or ex-employees;
- 1.2) The term whistle blowing in this policy refers to the disclosure internally or externally by staff of malpractice, as well as illegal acts or omissions at work;
- 1.3) The Public Interest Disclosure Act 1988 is intended to encourage staff to raise their concerns in a responsible way if there is a practice within Milford Pre-School Plus Ltd which they believe is threatening to public interest, without fear of detrimental treatment;
- 1.4) The policy and accompanying procedures were developed in response to an agreement between the Directors, Manager and Staff, that there is a requirement to have clear, accountable procedures in place in the event of an employee wishing to highlight any area(s) of malpractice or illegal acts;
- 1.5) The policy and procedure has been developed in line with the Public Interest Disclosure Act 1988.

### **2) Scope**

**2.1** All Milford Pre-School Plus Ltd staff and members of the public who use or visit our premises should demonstrate behaviour that adheres to the principles set out within this policy.

### **3) Aims**

#### **To ensure:**

- 3.1) Equity of treatment for staff
- 3.2) Compliance with legislation
- 3.3) Clear Guidelines for manager and staff
- 3.4) Simplicity of application

### **4) Principles**

4.1) Whistle Blowing is seen as a route for very serious disclosures and should not be seen as a replacement for the Grievance procedure.

4.2) Milford Pre-School Plus Ltd has a range of policies and procedures which deal with standards of behaviour. Staff are encouraged to use the provisions of these policies and procedures when appropriate. There may be times, however, when the matter is not about your personal employment position and needs to be handled in a different way. Examples may be:

- Malpractice or ill treatment of a service user by any member of staff
- Repeated ill treatment of a service user, despite a complaint being made
- A criminal offence has been committed, is being committed or is likely to be committed
- Suspected fraud

- Disregard for legislation, particularly in relation to health and safety at work
  - The environment has been, or is likely to be, damaged
  - Showing undue favour over a contractual matter or to a job applicant
  - A breach of code of conduct
  - Information on any of the above has been, is being, or is likely to be concealed
- 4.3) Milford Pre-School Plus Ltd will not tolerate any harassment or victimisation of a whistleblower (including informal pressures), and will treat this as a serious disciplinary offence which will be dealt with under our Disciplinary Rules and Procedure;
- 4.4) Milford Pre-School Plus Ltd are committed to making this procedure work. If staff raise genuine concerns under this procedure, they will not be at risk of losing their jobs or suffering any form of retribution as a result. Provided staff act in good faith it does not matter if they are mistaken. This assurance will not extend to staff who maliciously raise a matter they know to be untrue;
- 4.5) Milford Pre-School Plus Ltd will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential unless a situation arises where Milford Pre-School Plus Ltd is not able to resolve it without revealing their identity (for instance because their evidence is needed in court), this matter will be discussed with them first;
- 4.6) Whilst Milford Pre-School Plus Ltd will consider anonymous reports, this policy is not appropriate for concerns raised in this way. If Milford Pre-School Plus Ltd does not know who the whistleblower is, it will be much more difficult to investigate the matter or to protect the whistleblower and give them feedback;
- 4.7) Milford Pre-School Plus Ltd is accountable for:
- Commitment through endorsement of the Whistle blowing Policy
  - Identification and allocation of any resources required for the Policy's implementation
  - The Manager who is accountable for Whistle blowing
  - Nominated Director investigates any case of Whistle blowing in the event of Manager being under investigation (with support of the other Directors)
- 4.8) The Manager is accountable for;
- Ensuring cases of reported Whistle blowing are thoroughly investigated
  - Ensuring the ongoing commitment by Milford Pre-School Plus Ltd to Equal Opportunities within employment
  - Maintaining records of investigations
- 4.9) Line Management is responsible for:
- Acting as point of contact for staff who have concerns
  - Providing evidence to investigations if required
  - Communicating the Whistle blowing Policy and Procedures to staff

## **5) Implementation**

- 5.1) All Milford Pre-School Plus Ltd staff will be fully aware of the principles set out in this policy and any associated procedures;

### **Human Rights Act 1998**

The Human Rights Act 1998 has been considered with regard to this policy. Proportionality has been identified as the key to Human Rights compliance. This means striking a fair balance between the rights of the individual and those of other members of the organisation/community.

**Data Protection Act 1998**

Data Protection issues have been considered with regard to this policy. Milford Pre-School Plus Ltd is committed to complying with the Data Protection Act 1998 and ensuring that its internal Data Protection policies adhere to the law.

**Diversity Policies**

Equality issues have been considered with regard to this policy. Adherence with this policy should ensure compliance with Equal Opportunity legislation and internal Equal Opportunity policies.

**Health and Safety Act 1974**

Health and Safety issues have been considered with regard to this policy. This policy should therefore ensure compliance with Health and Safety legislation and internal Health and Safety policies.

**Disclaimer**

Milford Pre-School Plus Ltd is dedicated to compliance with all the above Acts. We acknowledge that this policy must comply with all relevant legislation. However, this is neither a substantive or legal document, and anyone seeking such direction would need to pursue expert legal advice.

This policy was adopted by	Milford Pre-School Plus Ltd
On	<hr/> 21 <sup>st</sup> May 2014
Date to be reviewed	<hr/> By 21 <sup>st</sup> May 2016
Signed on behalf of the provider	<hr/>
Name of signatory	<hr/> Alison Aldridge
Role of signatory (e.g. chair, director or owner)	<hr/> Chair of Directors
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