



# Dunnottar Nursery

## Whistleblowing Policy

### Policy Statement

Whistleblowing is when an individual reports a suspected incident relating to misconduct or illegal acts. It is vital that employees who have concerns are able to voice these concerns and to feel supported in the process of whistleblowing.

This policy should only be used for dealing with major concerns over the conduct of other members of staff. It should not be used to report personal grievances, harassment, disciplinary matters, bullying or any other matters that can be dealt with using Aberdeenshire's disciplinary and grievance procedures. It is also to ensure that staff in our Nursery feel confident and are encouraged to reveal any concerns that they may have about the conduct and behaviour of other members of staff and promoted members including the Lead Practitioner, Depute Head and Head Teacher.

Health and Social Care Standards My support, My life 2017, Scottish Government. As part of being registered with the Care Inspectorate, we must comply with this document and illustrate the standards within our nursery.

3.14 I have confidence in people because they are trained, competent and skilled, are able to reflect on their practice and follow their professional and organisational codes.

### Aims

To support and provide the information required to allow an employee to report serious concerns. To raise awareness of expectation that Aberdeenshire Council must be informed of any serious misconduct or illegal acts and that it is the duty of everyone to follow the whistleblowing policy to report relevant concerns.

*United Nations Conventions on the Rights of the Child - Article 3 states:*

- 1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.*
- 2. Parties undertake to ensure the child has such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.*
- 3. Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.*

## **What are relevant concerns?**

- A criminal offence
- Breach of a legal obligation
- Miscarriage of justice
- Danger to health and safety of any individual
- Malpractice
- Fraud
- Improper conduct/unethical behaviour
- Attempts to suppress or conceal any information relating to the above
- Child protection concerns

## **Procedures**

### **Who can raise a concern?**

- Any member of staff who has a reasonable belief that there is some malpractice relating to any of the issues mentioned above is entitled to raise a concern.
- Concerns raised must be done so without malice and in good faith. You must reasonably believe that any information disclosed and any allegations made are true. You will not be expected to prove beyond doubt that the allegation is true but you will need to demonstrate that there are reasonable grounds for your concern.
- If you make an allegation in good faith but it is not confirmed by any subsequent investigation then no action will be taken against you.
- If you make an allegation frivolously, maliciously or for personal gain, then appropriate disciplinary or legal action may be taken against you.
- All concerns raised will be treated in confidence and every effort will be made not to reveal the identity of the person who raised the concern. However at the appropriate time the individual who made the allegation may need to come forward as a witness.
- Any individual who raises a concern in good faith will be protected from any possible reprisals or victimisation. Where this occurs the individual should report it using Aberdeenshire Grievance procedures.

### **Raising a concern:**

- Any concerns should be reported to the Head Teacher (HT) Lisa Williams, [lisa.williams@aberdeenshire.gov.uk](mailto:lisa.williams@aberdeenshire.gov.uk) phone number 01569 690505. If the allegation involves the Head Teacher then the concerns should be raised with the Quality Improvement Officer (QIO) Kay MacDonald, [kay.macdonald@aberdeenshire.gov.uk](mailto:kay.macdonald@aberdeenshire.gov.uk) ,phone number 07769235111
- You may wish to discuss your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.
- Concerns should be raised verbally or in writing. In both instances you will be required to state:
  - The background and history of the concern

- The reason you are concerned
  - The extent to which you have personally witnessed or experienced the problem.
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- The HT and/or QIO will decide whether the allegation falls within the scope of existing Aberdeenshire policies and procedures.
  - The HT and/or QIO will consider the complaint and decide whether there is a case to answer.
  - If there is a case to answer the HT and/or QIO will proceed using Aberdeenshire Policy.
  - You may wish to invite your trade union or a colleague to be present during any meetings or interview in connection with the concerns you have.
  - You may also complain direct to the Care Inspectorate Tel: 0345 600 9527.

### **Training**

Policy discussion with staff annually.

### **Policy Review**

This policy will be reviewed regularly and in response to accident, incident or change in National or Local policy or guidance.

Date of Issue: April 2020

Date of Review: April 2021

Policy Author: Caroline Duncan (DHT)

### **References**

Care Inspectorate, *Whistleblowing: Guidance to support the code of conduct*, 2014

Aberdeenshire Council, *Disclosure of Information (Whistleblowing Policy)*, 2017