


# Little Dukes: Whistleblowing Policy

Policy adopted September 2024 - Version 2

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Little Dukes Nursery Schools, 58 Buckingham Gate London SW1E 6AJ



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## Little Dukes: Whistleblowing Policy

Grosvenor House

This policy will be continuously monitored, refined and audited by the Headteacher who will also review it annually to assess how efficiently duties have been carried out over the year. This review will take place no later than one year from the date shown below, or sooner if needed due to changes in legislation, regulatory requirements or best practice guidelines.

**Adopted: September 2024**

**Reviewed by:**

- Laura Masson, Senior Head, Grosvenor House
- Jo Allen, Principal, Riverside Nursery Schools
- Geoff Marston Dukes Education: Group Compliance
- Rik McShane, Director of Operations: Little Dukes Nurseries
- Nazish Usman, Principal of Hopes and Dreams Montessori Nurseries
- Ben Murray, Marketing and Admissions Director - Little Dukes Nurseries

**Next review due: September 2025**

Any reference to 'Little Dukes' applies to nursery named above.

## Little Dukes: Whistleblowing Policy

**Statement of intent:**

At Little Dukes, we are committed to the highest possible standards, and we recognise that team members, students, visitors and volunteers are often the first to realise that there may be something wrong within the nursery environment.

We also recognise they may not express their concerns because they feel that speaking up would be disloyal to their colleagues, or they may fear harassment or victimisation. In these circumstances, it can feel safer to ignore a concern rather than report what may just be a suspicion of malpractice.

The Little Dukes nurseries under The Public Interest Disclosure Act 1998 actively encourages any team members with concerns about any aspect of the nursery's practice or about any adult's, volunteer's or student's conduct, to come forward and voice those concerns, in confidence, within the nurseries rather than overlooking a problem.

**Policy aim:**

The aim of this policy and associated procedures is to establish an internal procedure that will encourage and enable team members, students, visitors and volunteers to raise concerns about any aspect of the nurseries practice (which do not meet the criteria for being dealt with as a complaint or grievance) in confidence and without fear of reprisals, to ensure that Little Dukes nurseries continue to work within best practice and to safeguard children and young people.

The whistleblowing Policy and procedure aims to help and protect both team members\* and children.

By following the procedure team members are acting to:

- **Prevent a problem getting worse**
- **Safeguard children and young people**
- **Reduce the potential risks to others.**

**The earlier team members raise a concern, the easier and sooner it is possible for the nursery to act.**

Concerns that should be raised via the whistleblowing policy may be in relation to the actions/behaviours of other team members, students or volunteers, or about something that is perceived as:

- **Unlawful**
- **Failing to comply with the nursery's policy and procedures**
- **Poor practice**
- **Improper conduct.**

\* Throughout this policy the terms 'staff' or 'team member/s' includes paid staff, volunteers and students, apprentices, agency staff.

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**Key points:**

**This policy is based on the following fundamental principles:**

- All team members, students, visitors (including contractors) and volunteers have the right to raise concerns about perceived unacceptable practice or behaviour.
- All visitors will be asked to log any concerns they have with the nursery's DSL or DDSL.
- The responsibility for expressing concerns about unacceptable practice or behaviour rests with all team members, students and volunteers.
- Little Dukes will not tolerate harassment or victimisation and will take action to protect workers when they raise a concern in good faith.
- Little Dukes will do its best to protect a whistleblower's identity when they raise a concern and do not want their name to be disclosed. However, if the concern raised needs to be addressed through another procedure, e.g., disciplinary procedure, the individual may be required to provide a signed statement as part of the evidence.
- Appropriate advice and support will be made available to team members, students, visitors and volunteers who raise concerns.
- Those who raise concerns will be kept informed of the progress and outcome of any investigation where appropriate.
- Little Dukes will not tolerate malicious allegations; these may be considered as a disciplinary offence.

**Procedures:**

Procedures for reporting and investigating 'whistleblowing' concerns have been developed to ensure that:

- Team members, students, visitors and volunteers can raise concerns (no matter how small they may appear) internally as a matter of course and receive feedback on any action taken.
- Concerns are taken seriously and dealt with quickly and appropriately.
- Team members, students, visitors and volunteers are reassured that they will be protected from reprisals or victimisation for whistleblowing in good faith.

- Team members, students, visitors and volunteers can take the matter further if they are dissatisfied with the nursery's response and seek external advice and guidance.
- Issues raised are addressed via other procedures and policies as appropriate, e.g., safeguarding policy, allegations against an adult working in a nursery within the safeguarding policy, grievance, disciplinary, health and safety.
- Appropriate records are maintained for monitoring purposes.

### **Raising a concern:**

Team members, students, visitors and volunteers should raise concerns with the one of the contacts below.

Concerns should be raised in writing and include:

- Reference to the fact that it is a whistle-blowing disclosure
- The background and history of the concern(s)
- Names, dates and places (where possible)
- The reasons the individual is concerned about the situation.

Team members or anyone who feels unable to put concerns in writing, can telephone or meet with one of the contacts below.

### **Who you should contact:**

#### **You should contact one of the following people in confidence:**

- 1. Your Designated Safeguarding Lead or Deputy Designated Safeguarding Lead** (DSL/DDSL). Details on which can be found in your nursery Safeguarding Policy.  
**Laura Masson:** 07503918798, [laura.masson@riversidenurseryschools.com](mailto:laura.masson@riversidenurseryschools.com)  
**Emer Pateman:** [emer.pateman@riversidenurseryschools.com](mailto:emer.pateman@riversidenurseryschools.com)

- 2. Director of Operations:**

**Rik McShane**

Telephone: 07385176213

Email: [Rik.mcshane@dukeseducation.com](mailto:Rik.mcshane@dukeseducation.com)

- 3. Safeguarding Governor: For support and advice only**

**Libby Nicholas**

Telephone: 07791953552

Email: [Libby.nicholas@dukeseducation.com](mailto:Libby.nicholas@dukeseducation.com)

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### **Investigation:**

The action taken will depend on the nature of the concern. All actions taken will follow on from an initial call to LADO for advice.

On no account will any investigation take place without referring to the local authority's LADO / Duty Safeguarding Team for advice.

The appropriate person/s will investigate the concerns thoroughly, ensuring that a written response can be provided within ten working days.

The response should include details of how the matter was investigated, conclusions drawn from the investigation, and whom to contact should the team member be unhappy with the response and wish to raise the matter further.

If the investigation cannot be completed within the timescale above, the team member should receive a response that indicates:

- Progress to date
- How the matter is being dealt with
- How long it will take to provide a final response.

In order to protect individuals, initial enquiries (usually involving a meeting with the individual raising the concern), will be made to decide whether an investigation is appropriate and if so, what form it should take.

Concerns or allegations that raise issues falling within the scope of other policies/procedures, will be addressed under those procedures.

Some concerns may be resolved at this initial stage simply, by agreed action or an explanation regarding the concern, without the need for further investigation.

If it's felt that the complaint has not been dealt with effectively or the individual still has concerns even after escalating internally, they have a right to refer the concerns to LADO or Ofsted themselves.



### **Independent advice:**

If you are unsure whether to use this policy or want independent advice at any stage, you may contact the independent charity Protect on 020 3117 2520 or [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk).

If needed, Protect will be able to advise you on the circumstances in which you may be able to contact an outside body safely.

### **Allegations of abuse against adults who work or volunteer in Little Dukes nurseries:**

If an allegation is made against a team member, agency staff or volunteer, the following action will be taken:

- The DSL will ensure the immediate safety of the children.
- The DSL will not investigate but immediately contact the Local Authority Designated Officer (LADO) for advice before any action is taken. The nursery will notify Ofsted of a significant incident.
- If the LADO decides that there is a child protection concern, external/internal agencies (e.g. police, children's services) will be informed by the LADO and the nursery will act upon the advice given to ensure that any investigation is not jeopardised.
- It may be necessary to suspend the alleged perpetrator. Suspension is a neutral act to allow a thorough and fair investigation.
- If it is agreed by LADO that there is not a child protection concern and this does not meet their threshold, the nursery will investigate further and report the outcome of the investigation to Ofsted if necessary.

### **Legislative Framework:**

#### **Early Years Foundation Stage Statutory Framework 19th January 2024**

*The Public Interest Disclosure Act 1998 (PIDA) The Care Act 2014*

*Safeguarding Vulnerable Groups Act 2006 Protection of Freedoms Bill*

*Keeping Children Safe in Education 2024*

**Disqualification Under the Childcare Act 2006, Updated August 2018**

**Working Together to Safeguarding Children, Updated September 2023**

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**DfE Guidance - What to do if you're worried a child is being abused, March 2015)**

**Children Act, 1989 and 2004 Childcare Act, 2006**

**Safeguarding Vulnerable Groups Act, 2006**

**Children and Social Work Act, 2017**

**Further reading:**

**Whistleblowing video:**

<https://www.scie.org.uk/contact/concerns/whistleblowingvideo/>

**Whistleblowing website:**

<https://www.hse.gov.uk/contact/whistleblowers.htm>