



# **BARNFIELDS EXTRA**

## **BARNEY BEARS NURSERY**

### **WHISTLEBLOWING POLICY**

#### **Introduction**

This policy enables you to report, confidentially, serious concerns about any aspects of Barnfields Extra's work which you suspect involves criminal behaviour or other specific forms of malpractice – damage to the environment, for example, or action that threatens health and safety and safeguarding.

Provided that you act in good faith, and that you have a reasonable suspicion that the alleged malpractice has occurred, is occurring or is likely to occur, you can disclose your concerns, using this procedure, and be protected by law from victimisation or dismissal.

The law in question is the Public Interest Disclosure Act, which came into force in 1999. The Company believes that having internal procedures is in everyone's interest.

#### **Eligibility**

This policy, like the Act, covers all employees of the Company, contractors, agency staff and the Company's partners, formal and informal.

#### **Provisions**

This policy describes the circumstances in which concerns can be reported confidentially or 'disclosed', and the conditions which must be met if the protection offered by the Act is to apply.

#### **Making a Disclosure**

To make a disclosure either telephone or write to a member of the Company's Board listed in Appendix A. If writing, mark the envelope: 'Strictly Private and Confidential' and 'For the attention of the Board Member selected' and placed in the Barnfields Extra Box located in the school office. Do not use e-mail, as e-mail is not a secure medium.

The Board Member will acknowledge receipt of your disclosure in writing, within 5 working days. They will also gather further information if need be, including by personal interview, at which you can be accompanied by an official of your trade union or professional association, or by a fellow employee. When the precise nature of the malpractice has been established your disclosure may be referred to the Chair of the Board for a decision about any further action. The Chair of the Board will determine what further action, if any, is needed, which may comprise:

- internal investigation
- report to the police
- report to external audit

independent enquiry  
any combination of the above

Throughout the process the Board Member will keep you informed on progress and (subject to legal constraints) the eventual outcome.

### **Further Appeal**

If at the end of the process you, or any other person covered by the Act, are not satisfied with how a disclosure has been dealt with, you may refer to one of the regulatory bodies/other external agencies whose details are listed below. As with internal disclosure, before referring to one of these bodies you should consider: do I honestly and reasonably believe that my concerns are well founded and that any allegations I am about to make are substantially true?

### **Legal Protection**

Exceptionally, the Act offers protection in respect of disclosures made to people or bodies not listed in Appendix A but only when, all things considered, it is reasonable to do this and the disclosure is not made for personal gain. In addition, one of the following must apply:

The matter must have been raised already with the employer and/or relevant regulatory body; or

You reasonably believed that you would be victimised if you raised the matter internally; or

There is no relevant regulatory body, and you reasonably believed that evidence was likely to be concealed or destroyed.

Your concern is of an "exceptionally serious" nature, which is for you to determine.

### **Confidentiality**

The Board will treat your disclosure in confidence, and only reveal your identity if absolutely necessary (e.g. if required in connection with legal action).

### **Responsibilities**

The Board has overall responsibility for this policy and will decide on the action to be taken in respect of all disclosures.

The Board is the first point of contact for 'whistleblowers', and is responsible for keeping them informed regarding the progress and outcome of any investigation.

HR units can offer advice and provide training.

Unions and professional associations can also support and assist their members.

Regulators and other external bodies can deal with concerns in specified circumstances.

### **Frivolous/Malicious Claims**

If you make a disclosure which the Board considers is frivolous, malicious, or made for personal gain this may result in disciplinary action being taken against you.

### **Victimisation**

Anyone who harasses or victimises someone who makes a protected disclosure will be subject to disciplinary action.

## **Further Advice and Information**

This policy document is for general guidance only. If you need any further advice about how this policy applies to you please contact your line manager or Board member.

If you belong to a recognised trade union or professional association you can obtain support and assistance from them or if you prefer to seek independent, external advice this can be obtained from the charity Public Concern at Work or the Audit Commission at:

Public Concern at Work  
Suite 306  
16 Baldwin's Gardens  
London EC1N 7RJ  
Helpline: 020 7404 6609  
E-mail: [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk)

Audit Commission  
1 Vincent Square  
London SW1P 2PN  
Telephone: 020 7828 1212  
E-mail: [enquiries@audit-commission.gov.uk](mailto:enquiries@audit-commission.gov.uk)

Further background information on this topic is also available on the following Websites:

[www.dti.gov.uk](http://www.dti.gov.uk)  
[www.acas.org.uk](http://www.acas.org.uk)  
[www.lg-employers.gov.uk](http://www.lg-employers.gov.uk)  
[www.audit-commission.gov.uk](http://www.audit-commission.gov.uk)  
[www.pcaw.co.uk](http://www.pcaw.co.uk)

## **Other contacts**

Please note that the Board accepts no responsibility or liability for any material produced by or contained in external sites or for any advice or services given by external organisations. It is the responsibility solely of each person to decide whether or not they use any such material, advice or service.

## **BARNFIELDS EXTRA**

### **Appendix A**

#### **Board Members**

Mrs. Gillian Richards

Mrs. Pauline Heath

Mrs. Claire Taylor

Mrs. Lorraine Rebaire

Mrs. Shelly Newby

Mrs. Sandra Tyler