

WHISTLEBLOWING POLICY AND PROCEDURES

Rationale

The Public Interest Disclosure Act 1998 encourages people to raise concerns about misconduct or malpractice in the workplace in order to promote good governance and organisational accountability in the public interest. This whistleblowing policy provides individuals in the workplace with protection against victimisation or punishment where they raise a concern about practice in the workplace.

This guidance will help providers and staff to take into account the relevant [Health and Social Care Standards](#):

- 1.2 My human rights are protected and promoted and I experience no discrimination.
- 2.3 I am supported to understand and uphold my rights.
- 2.4 I am supported to use independent advocacy if I want or need this.
- 2.9 I receive and understand information and advice in a format or language that is right for me
- 4.20 I know how, and can be helped, to make a complaint or raise a concern about my care and support.
- 4.21 If I have a concern or complaint, this will be discussed with me and acted on without negative consequences for me.

This guidance will help providers and staff to take into account the relevant Quality Indicators from How Good is our Early Learning and Childcare: https://education.gov.scot/nih/Documents/Frameworks_SelfEvaluation/FRWK1_NIHeditSelf-evaluationHGIELC/HGIOELC020316Revised.pdf

- 1.4 Leadership and management of practitioners
- 3.1 Ensuring wellbeing, equality and inclusion

This guidance will help providers and staff to take into account the relevant articles from the UN Convention on the Rights of the Child: [A Summary of the UN Convention on the Rights of the Child](#)

Article 3 – best interests of the child

This policy will be monitored by / through: annual review of policy, records of whistleblowing

This policy will be reviewed in:	12 months
Review Date:	August 2025
Reviewed By:	Management

AIMS	OUTCOMES	IMPLEMENTATION
<ul style="list-style-type: none"> • To nurture a culture of openness and transparency within the setting • To ensure staff are confident and knowledgeable about whistleblowing procedures • To respond to disclosure fairly and appropriately • To ensure children's rights are upheld in accordance with the UNCRC 	<ul style="list-style-type: none"> • Staff and stakeholders feel safe and supported raising concerns • Staff and stakeholders understand procedure when raising concerns • Concerns will be dealt with in a fair and just manner • Within and beyond our setting there is a shared understanding of wellbeing and children's rights 	<ul style="list-style-type: none"> • Procedure is followed and shared with all stakeholders • Follow guidance in Health and Social Care Standards 2017 (Standards 1.2, 2.3, 2.4, 2.9, 4.20, and 4.21) – Health & Social Care Standards • How Good is Our Early Learning and Childcare Quality Indicators – 1.4 and 3.1 • All staff understand their responsibilities as duty bearers to respect, promote and realise children's rights

Whistle Blowing Procedures

Management / staff will:

- Reassure staff regularly that concerns can be raised safely and that open discussion is welcomed
- Display this policy with all other policies in the setting
- Ensure new staff are aware of this policy at the induction stage
- Discuss the content annually or as required
- Ensure all staff know who to raise genuine concerns with, and have alternative personnel to contact in case of conflict
- Make information available as to the meanings of misconduct and malpractice*
- Stress the importance of on-going quality working practices with reference to the group's policies and code of practice
- Provide an effective mechanism through which concerns can be raised with regard to fairness and respect
- Reassure staff raising concerns that it is safe and acceptable to do so
- Investigate and resolve the concerns as quickly as possible
- Carry out consultation confidentially where possible
- Record disclosure and outcome
- Ensure no unfair treatment or discrimination occurs as a result of the disclosure.

Malpractice applies to people at work raising genuine concerns about crime, civil offences (including negligence, breach of contract, breach of administrative law), miscarriage of justice, danger to health and safety or the environment and the cover up of any of these.