Staff Whistleblowing Policy and Procedures

Introduction

At Codicote Pre-School, we expect all colleagues, both internal and external, to be professional at all times and hold the welfare and safety of every child as their paramount objective.

This policy is designed to encourage staff to raise concerns about misconduct or malpractice within the nursery rather than overlooking them, and to ensure they can do so without fear of reprisal.

We recognise that there may be occasions where staff witness practices or behaviours that cause concern.

This policy provides a framework for staff to raise these concerns in the knowledge that they will be taken seriously and addressed appropriately.

Definition of Whistleblowing .

Whistleblowing is when a staff member (including students and volunteers) raises concerns about poor or unsafe practice in the setting's safeguarding provision.

For a disclosure to be protected under this policy, the worker must have a reasonable belief that the disclosure shows one or more of the following:

• A criminal offence has been committed, is being committed, or is likely to be committed (such as corruption or fraud).

• Any breach of EYFS Safeguarding and Welfare requirements, abuse of a child etc

• A person has failed, is failing, or is likely to fail to comply with any legal obligation to which they are subject (e.g. Equalities Act 2010, Health and Safety Legislation etc)

• A miscarriage of justice has occurred, is occurring, or is likely to occur

• Falsification of financial records or bribery

• Covering up wrongdoing or malpractice

• The health or safety of any individual has been, is being, or is likely to be endangered

• The environment has been, is being, or is likely to be damaged

• Information indicating any of the above has been, is being, or is likely to be deliberately concealed

• An act that may be deemed as radicalised or a threat to national security Legal Framework

To summarise, Whistleblowing is when someone raises a concern about wrongdoing or malpractice in their workplace

The Public Interest Disclosure Act 1998, commonly referred to as the 'Whistleblowing Act', amended the Employment Rights Act 1996 to provide protection for employees who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'.

EYFS Update – September 2025

Under the September 2025 EYFS statutory framework (Section 3.7), providers must put appropriate whistleblowing procedures in place for all staff (including students and volunteers) to raise concerns about poor or unsafe practice in the setting's safeguarding provision.

The Act protects workers from detrimental treatment or victimisation from their employer if, in the public interest, they make a qualifying disclosure. For a disclosure to be protected under the Public Interest Disclosure Act, it must be made according to the Act's rules:

• You must believe it to be substantially true

• You must not act maliciously or make false allegations

• You must not seek any personal gain It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be committed; a reasonable belief is sufficient.

Safeguarding Children

If information relates to child protection or safeguarding, then the Pre-School's Safeguarding and Child Protection Policy should be followed immediately, with particular reference to the staff and volunteering section.

The safety and wellbeing of children is our primary concern, and any safeguarding concerns should be reported without delay.

Safeguarding takes priority over all other concerns.

Disclosure Procedure

This procedure includes when and how to report concerns and the process that will be followed after staff report concerns, as required by the EYFS framework.

1. Initial Concerns: We encourage staff to talk through any concerns they may have with Amy Wilson at the earliest opportunity to enable any problems to be resolved as soon as they arise.

2. Formal Disclosure: Where you reasonably believe one or more of the circumstances listed above has occurred, you should promptly disclose this to the Designated Safeguarding Lead (DSL) **Amy Wilson** so that appropriate action can be taken.

3. Alternative Reporting Routes: If it is inappropriate to make such a disclosure to Amy Wilson (for instance, because it relates to your manager), you should speak to:

• Deputy Designated Safeguarding Lead (DDSL) – **Sara Stagg**

• Designated Safeguarding Officer – **April Schofield** (Pre-School Chair)

4. External Reporting: If you feel unable to raise an issue with your employer, or feel that your genuine concerns are not being addressed, you can use the other channels open to you:

• NSPCC whistleblowing advice line: 0800 028 0285 (08:00 to 20:00, Monday to Friday and 09:00 to 18:00 at weekends)

• Email: help@nspcc.org.uk

• Address: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH

• Ofsted provides guidance on how to make complaints about a provider: www.gov.uk/government/organisations/ofsted

• General guidance on whistleblowing can be found via Whistleblowing for Employees

• Hertfordshire County Council's Local Authority Designated Officer (LADO) Service can be contacted by the following routes:

Phone: **0300 123 4043**

Online reporting form (and advice of how and when to refer): **Professionals – report a concern about a child or young person | Hertfordshire County Council**

https://www.hertfordshire.gov.uk/services/childrens-social-care/child-protection/professionals-report-a-concern.aspx#intensiveandspecialist

Email: LADO.Referral@hertfordshire.gov.uk for

LADO Name: **Andrea Garcia-Sangil** (correct as at September 2025).

Confidentiality

The Pre-School will treat all such disclosures in a confidential and sensitive manner.

The identity of the individual making the allegation will be kept confidential as long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information, and the individual making the disclosure may need to provide a statement as part of the evidence required.

Anonymous Allegations

This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the Pre-School management.

Protection and Support for Whistleblowers

All staff must feel able to raise concerns about poor or unsafe practice and know that such concerns will be taken seriously by the senior leadership team.

1. No Detriment: Employees will suffer no detriment of any sort for making a disclosure in accordance with this procedure. Any employee who believes they have suffered any such detriment should inform the nursery manager or owner immediately.

2. Confidential Support: Staff members who raise concerns will be supported through the process and kept informed of progress. The nursery will provide guidance and emotional support as necessary.

3. Protection from Victimisation: Any employee who is involved in victimising employees who make a disclosure, takes any action to deter employees from disclosing information, or makes malicious allegations in bad faith will be subject to potential disciplinary action which may result in dismissal.

4. Failure to Report: Failure to report serious matters can also be investigated and potentially lead to disciplinary action which may result in dismissal.

5. Management Responsibility: Any management employee who inappropriately deals with a whistleblowing issue (e.g., failing to react appropriately by not taking action in a timely manner or disclosing confidential information) may be deemed to have engaged in gross misconduct which could lead to dismissal.

Investigation Process

1. The disclosure will be promptly investigated by the Designated Safeguarding Lead (DSL)/Deputy or Pre-School Chair who will consider the information made available and decide on the form of investigation to be undertaken.

2. This decision will normally involve consulting with at least one other senior staff member.

3. The investigation may involve:

• Internal investigation by management

• Referral to external regulatory bodies

• Referral to the police

• Independent inquiry

4. Investigations will be conducted as sensitively and speedily as possible while maintaining thoroughness.

5. The whistleblower will be informed of the outcome of the investigation where appropriate and possible.

6. The person or persons against whom a disclosure is made will be told of it, the evidence supporting it, and will be allowed to comment before any investigation is concluded or further action commenced.

Record Keeping

A report of all disclosures and subsequent actions taken will be made by the Designated Safeguarding Lead (DSL) / Deputy or Chair of the Pre-School, who will retain such reports for a specified period of time in accordance with GDPR requirements and the nursery's data retention policy.

GDPR Considerations

The nursery is committed to protecting the privacy and security of personal data processed during any whistleblowing investigation.

Information gathered as part of an investigation will be:

• Only used for the purpose of the investigation

• Stored securely with restricted access

• Retained only for as long as necessary

• Processed in accordance with individuals' rights under GDPR

Training and Awareness

All staff must be aware of the setting's whistleblowing procedures.

The Pre-School will ensure that all staff receive appropriate safeguarding training, including training on this whistleblowing policy, which is renewed every two years in line with EYFS requirements.

Training covers how to identify concerns about poor or unsafe practice in safeguarding provision and the procedures for raising such concerns.

Health and Safety Implications

Where whistleblowing disclosures relate to health and safety concerns, these will be addressed as a matter of priority to ensure the wellbeing of all children, staff, and visitors at the nursery.

Policy Review Date: September 2025

Next Review: September 2027

Approved by: Amy Wilson

Date of Approval: 01/09/2025

This policy should be read in conjunction with Codicote Pre-School's other Safeguarding Policies.