

# Whistleblowing Policy



**Approved by:** Nazmon Hannan

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**Next review due by:** March 2028



## Whistleblowing Policy

### POLICY STATEMENT

Jan Preschool and Nursery is committed to promoting a culture of transparency, openness, and accountability. We believe all staff, volunteers, students, and other individuals working with us have a responsibility to raise concerns about poor practice, wrongdoing, or risks to the health, safety, or wellbeing of children and colleagues.

Children's welfare is at the heart of everything we do. Every individual working in the nursery has a legal and moral duty to report any concerns, no matter how small, if they believe a child is at risk or if organisational practice may compromise care quality or safety.

### LEGAL FRAMEWORK

This policy is underpinned by:

- **The Public Interest Disclosure Act 1998**
- **The Children Act 1989 & 2004**
- **Keeping Children Safe in Education (2024)**
- **Working Together to Safeguard Children (2023)**
- **EYFS Statutory Framework (2025)**
- **Ofsted whistleblowing guidance**

These documents support the right of individuals to raise concerns in the **public interest**, protect those who speak up from reprisal, and ensure that serious concerns are acted upon swiftly and effectively.

This policy applies to:

- All nursery staff (permanent, temporary, part-time)
- Volunteers
- Work experience students
- Agency workers
- Contractors and visitors
- External professionals working with the nursery

### WHAT IS WHISTLEBLOWING

**Whistleblowing** is the disclosure of information which relates to suspected wrongdoing or dangers at work. It enables staff to raise concerns about:

- Risks to child safety or wellbeing
- Poor or unsafe childcare practice
- Staff conduct, including bullying, discrimination, harassment
- Failure to comply with legal obligations



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- Criminal offences (e.g. theft, fraud, abuse)
- Miscarriages of justice
- Deliberate attempts to conceal any of the above
- Breach of nursery or safeguarding policies
- Actions which could seriously damage the nursery's reputation

This is different from a grievance, which relates to a personal concern (e.g. issues with pay, workload, relationships).

Grievances should be raised through the staff grievance procedure.

### Our Commitment to Whistleblowers

Jan Preschool and Nursery is committed to:

- Creating a **safe environment** where concerns can be raised without fear
- **Listening seriously** to concerns, and taking timely, fair and proportionate action
- **Protecting whistleblowers** from reprisals, harassment, victimisation, or disadvantage
- **Keeping disclosures confidential**, where possible and appropriate
- Ensuring staff know **how and where to raise concerns**, both internally and externally

### PROCEDURE FOR STAFF TO RAISE A WHISTLE-BLOWING CONCERN

#### **When to raise a concern**

Staff should consider the examples above when deciding whether their concern is of a whistle-blowing nature.

Consider whether the incident(s) was illegal, breached statutory or organisational procedures, put people in danger or was an attempt to cover any such activity up.

#### **Who to report to**

Staff should report their concern to the setting Manager or Deputy Manager. If the concern is about the setting Manager, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Director.

### PROCEDURE FOR RESPONDING TO A WHISTLE-BLOWING CONCERN

#### **Investigating the concern**

When a concern is received by the Setting Manager - referred to from here as the 'recipient' - they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative
- Get as much detail as possible about the concern at this meeting and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure



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- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see below)

### Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified, and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the investigation's outcome, though certain details may need to be restricted for confidentiality reasons.

Beyond the immediate actions, the Setting Manager and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

### MALICIOUS OR VEXATIOUS ALLEGATIONS

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the organisation will consider whether any disciplinary action is appropriate against the person making the allegation.

### ESCALATING CONCERNS

The organisation encourages staff to raise their concerns internally but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included [here](#).

The [Protect advice line](#) can also help staff when deciding whether to raise the concern to an external party.

The NSPCC whistleblowing advice line is available. Staff can call 0800 0280285 – 08:00 to 20:00, Monday to Friday and 09:00 to 18:00 at weekends. The email address is: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).



## Whistleblowing Policy

Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.

Ofsted also provides [guidance on how to make complaints about a provider](#): To complain about a childcare provider or childminder agency, get in touch with us at [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk) or 0300 123 4666.