



## WHISTLEBLOWING POLICY

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### Policy statement:

Whistleblowing is the act of sharing genuine concerns about unsafe practice in an early years setting, that could cause harm to the people using the service, the employees or the wider community. This can include the reporting of damage, criminal offences (including towards a child), covering up wrong doing, misuse of funds or resources, neglecting policy or procedure, staff who do not safeguard or protect children in their care, staff who behave in a way that poses a risk, staff who harm or staff whose behaviour indicates that they are not suitable to work with children.

From September 2025, the EYFS will state the childminders must have appropriate procedures in place for staff to raise concerns about poor or unsafe practice.

This policy is intended to encourage individuals to raise genuine, legitimate concerns and to ensure a clear understanding of when and how to escalate disclosures about poor or unsafe practice.

### Legal framework

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.'

A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that any of the following is being, has been, or is likely to be, committed:

- A criminal offence
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- A breach of any other legal obligation or concealment of any of the above
- Any other unethical conduct
- An act that may be deemed as radicalised or a threat to national security.

The Public Interest Disclosure Act has the following rules for making a protected disclosure:

- You must believe it to be substantially true
- You must not act maliciously or make false allegations
- You must not seek any personal gain.

All those making a disclosure have the right to remain anonymous and we will ensure they are not subject to any retaliation or other abuse because of them reporting a concern.

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All employees, volunteers, students, stakeholders, contractors, consultants and anyone who encounters children must feel supported in raising a public interest disclosure. They should talk to me, the registered childminder in the first instance. We have a culture of working together which means, we promptly and proportionately carry out a blame free investigation, taking guidance from the local authority and Ofsted as required. Please see guidance below escalating your concern externally, if necessary.

### **Procedure:**

Any disclosure or concern raised will be taken seriously and will be dealt with in accordance with the procedure outlines below and in confidence.

In the first instance you should discuss your concerns with me, the registered childminder. If it is inappropriate to make a disclosure to me, (i.e. because the disclosure relates to me), you can contact the NSPCC helpline, Ofsted or your Local Area Designated Officer directly for guidance. Contact details can be found in useful links section below.

Concerns are best raised in writing, with as much detail as possible, including the background and history to the concern, names, dates, times and places where possible. If you do not wish to put your allegation/concern in writing, I or the person you are making a complaint to, will make a detailed record of the interview and will ask you to sign the statement to confirm accuracy.

If a disclosure or concern is raised, I/we will:

- Listen carefully to your concerns and may ask questions for further clarification
- Record
  - the date the concern was raised
  - how the concern was raised (email, text, phone, in person)
  - details of concern including names, dates, times, any witnesses, nature of concern
  - Decide on immediate action to be taken in a timely manner and record details of these
  - Follow our safeguarding policy, if appropriate
  - Notify authorities, such as LADO and/or the police, if necessary, seek advice and guidance from and accurately record this, including steps taken to implement advice and dates completed
  - Inform Ofsted of any allegations of serious harm or abuse by any person living, working or looking after children within 14 days (but as soon as possible)

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- Carry out all follow-up actions and record the date, time and outcome of these actions
- Where a member of staff is dismissed (or would have been, had the person not left the setting first) because they have harmed a child or put a child at risk of harm in line with advice from Ofsted and/or the local authority, we will make a referral to the Disclosure and Barring Service
- Critically reflect on all concerns and allegations raised, learn from findings and reviews policies and procedures with consideration for these

You should NOT:

- Investigate the matter yourself
- Alert those suspected of being involved
- Approach and accuse individuals
- Discuss with anyone other than the person you raise the concern with

### Protection from Retaliation

Individuals should know that we will not tolerate any harassment or victimisation (including informal measures) for making a disclosure. We will take appropriate action to protect you when raising a concern in good faith. If an allegation is made in good faith but is not confirmed by the investigation, no action will be taken against the complainant. However, if an allegation is proven to be malicious and/or completely unfounded, action may be taken against the person responsible

### Useful links:

Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other channels are open to them:

- NSPCC whistleblowing advice line is available. Staff can call 0800 028 0285 – 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). Full details can be found [Whistleblowing Advice Line | NSPCC](#)
- [Complaints procedure - Ofsted - GOV.UK](#)
- LADO 03330 139797 [lado@essex.gov.uk](mailto:lado@essex.gov.uk)
- General guidance on whistleblowing can be found via: [Whistleblowing for employees: What is a whistleblower - GOV.UK](#)



## WHISTLEBLOWING POLICY

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Date policy was written	12 Aug. 25
This policy is due for review on the following date	12 Aug. 26

**This policy supports the following Early years foundation stage statutory framework for childminders requirements:**

Section 3 – Safeguarding and welfare requirements

- Concerns about children’s safety and welfare