

Innsworth Preschool Whistleblowing Policy

Last Updated: 1st January 2026

1. Purpose and Scope

1.1 Overview: This policy sets out Innsworth Preschool's commitment to providing a safe and accountable environment where all adults working in or on behalf of the setting can raise genuine concerns about wrongdoing without fear of reprisal.

1.2 Objective: Early reporting is essential to uphold our safeguarding standards, protect the welfare of children, and maintain the integrity of our setting. This policy provides a framework for reporting concerns that are in the **public interest**.

1.3 Immediate Danger: If anyone is in immediate danger, call **999** first, then inform the Designated Safeguarding Lead (DSL) or Manager as soon as it is safe to do so.

2. Legal and Statutory Framework

2.1 Compliance: This policy is underpinned by our duties under:

- The Public Interest Disclosure Act 1998 (PIDA): Protecting workers who make "qualifying disclosures" from victimisation.
- The Statutory Framework for the Early Years Foundation Stage (EYFS).
- The Children Act 1989.
- Working Together to Safeguard Children.
- Best Practice: We follow early years safeguarding best practice and draw on principles of "vigilance" and the "duty to speak up" from *Keeping Children Safe in Education (KCSIE)* and *Guidance for Safer Working Practice*.

3. Scope and Definitions

3.1 Applicability: This policy applies to all employees, volunteers, students, agency staff, and contractors.

3.2 Statutory Protection: While statutory protection under PIDA applies specifically to "workers" and "employees," Innsworth Preschool values the integrity of all contributors. **Regardless of legal status**, we will treat all disclosures from volunteers or students seriously and will not tolerate retaliation.

3.3 Distinguishing Whistleblowing from Grievances:

- **Whistleblowing (Public Interest):** Relates to **wrongdoing** that affects others (e.g. children, the public, or the setting's integrity).
- **Personal Grievances:** Concerns related to an individual's own employment contract, pay, interpersonal disputes, or working conditions do **not** fall under this policy. These should be raised via the **Grievance Policy**.

4. What Should Be Reported? (Qualifying Disclosures)

4.1 Categories: A "qualifying disclosure" is one made in the public interest regarding:

- A criminal offence (suspected or actual).
- A failure to comply with a legal obligation (e.g. EYFS non-compliance).
- Danger to the health and safety of any individual.
- Damage to the environment.
- The deliberate concealment of any of the above.

4.2 Safeguarding Thresholds:

- **Immediate Harm:** Allegations involving harm or risk of harm to a child are **safeguarding concerns**, not just whistleblowing. If the concern meets the harm/allegation threshold, we do **not** investigate internally before contacting the Local Authority Designated Officer (LADO) or Children's Social Care. We follow LADO instructions explicitly.
- **Low-Level Concerns:** Concerns about adult behaviour that do not meet the harm threshold (e.g. inadvertent boundary crossing) should be reported via the **Low-Level Concerns Procedure** (located in the Staff Handbook).

5. Reporting Procedures

5.1 Internal Reporting Flow: We encourage staff to resolve concerns internally where possible.

- **Standard Route:** Raise the concern with the **Designated Safeguarding Lead (DSL), Desma Smith**, or the **Whistleblowing Officer, Peter Scheidel**.
- **If DSL Implicated:** Report directly to the **Registered Person / Owner** or contact the LADO/Ofsted.
- **If Owner Implicated:** Report directly to **Ofsted**, the **LADO**, or the **Police** (as relevant). You may also contact **Protect** for independent advice.

5.2 External Reporting (Prescribed Persons): Staff are not required to exhaust internal routes. External reporting is permitted at any time, especially if trust is compromised. Legal protection applies when you report to a "prescribed person":

- **Ofsted (Whistleblowing Hotline):** 0300 123 3155 or whistleblowing@ofsted.gov.uk (for concerns about the running of the setting).
- **Local Authority Designated Officer (LADO):** 01452 426320 (for safeguarding allegations against staff). *Note: If this number is unavailable, consult the Safeguarding Board website or Staff Handbook immediately.*
- **NSPCC Whistleblowing Advice Line:** 0800 028 0285.
- **Police:** 999 or 101 (for criminal acts or immediate danger).

5.3 Independent Advice:

- **Protect:** An independent charity offering legal advice on whistleblowing options and rights (protect-advice.org.uk). Note that contacting Protect is for advice, not for formally reporting the concern.

5.4 Anonymous Concerns: Anonymous concerns will be considered and logged. However, our ability to investigate may be limited without further detail or the ability to ask follow-up questions.

6. Investigation Process

6.1 Timescales:

- **Safeguarding:** Concerns involving child welfare are escalated **immediately** on the same day.
- **Non-Urgent Matters:** We aim to acknowledge receipt within **2 working days** and provide an indication of the proposed timeframe for investigation within **5 working days**.

6.2 Investigation: The recipient (Manager/Owner) will assess the concern. An investigation will be conducted to establish facts, which may involve an internal or external investigator depending on severity.

6.3 Outcome and Feedback: The whistleblower will be informed of the outcome where possible. However, feedback may be limited by confidentiality and data protection obligations regarding other staff (e.g. we cannot reveal specific disciplinary sanctions applied to a colleague).

7. Protection and Support

7.1 Public Interest Test: Staff are protected where a disclosure is made in the **public interest** and believed to be **substantially true**.

7.2 Non-Retaliation: No member of staff will suffer detrimental treatment (dismissal, disciplinary action, or victimisation) for raising a concern under this policy.

- **Remedy:** If you believe you are being treated unfairly because you raised a concern, report this immediately to the Owner/Registered Person and use the **Grievance Policy**. Victimisation will be treated as a disciplinary matter.

7.3 Malicious Allegations: If an investigation concludes that an allegation was made **maliciously** or with known falsity, this will be treated as gross misconduct and managed under the **Disciplinary Policy**. (Note: If a disclosure is simply not upheld but was made in the public interest, no action will be taken against the whistleblower).

8. Data Protection and Record Keeping

8.1 Records: Records of whistleblowing disclosures are stored securely and separately from personnel files. Access is restricted to the Manager, Owner, and investigating officers.

- **Retention:** Records are retained in line with our **Records Retention Schedule** (typically for a set period after closure, unless safeguarding requires longer retention).

9. Training

9.1 Awareness: All adults working in the setting receive a whistleblowing briefing during induction. Annual refreshers are mandatory, and all staff sign an acknowledgment that they understand their right to speak up.

