

Whistleblowing Policy

At The Orchard Day Nursery Kingston, we are committed to creating and maintaining a strong safeguarding culture in which everyone understands their responsibility to protect children and promote their welfare.

We expect all colleagues, volunteers, students, agency workers, contractors and other individuals working within or on behalf of the nursery to act professionally and to place the safety, welfare and best interests of children at the centre of their practice.

We recognise that there may be occasions when poor, unsafe, inappropriate or illegal practice occurs within the nursery, or where concerns about children's welfare are not being appropriately addressed.

The nursery therefore has a clear whistleblowing procedure to enable staff and other workers to raise concerns safely and confidently.

The EYFS requires early years providers to have whistleblowing procedures so that staff can raise concerns about unsafe or poor practice within the setting's safeguarding arrangements and escalate concerns externally where necessary.

What is Whistleblowing?

Whistleblowing is when a worker raises a concern about wrongdoing within an organisation. This may include concerns that:

- children are being placed at risk;
- safeguarding concerns are being ignored or not acted upon;
- unsafe or poor practice is taking place;
- a member of staff or another person is behaving inappropriately towards children;
- legal or regulatory requirements are not being followed;
- health and safety requirements are being breached;
- information about wrongdoing is being deliberately concealed; or
- concerns raised previously have not been appropriately addressed.

Whistleblowing is different from a personal grievance or employment complaint. However, where a concern relates to both an individual's employment and the safety or welfare of children, the nursery will ensure that safeguarding concerns are treated as a priority.

Our Commitment

The nursery is committed to ensuring that staff:

- know how to raise a whistleblowing concern;
- feel able to raise concerns without fear of retaliation;
- understand that concerns will be taken seriously;
- know who they can approach if they cannot speak to their line manager;
- understand how to escalate concerns externally;
- are protected from unfair treatment because they have raised a legitimate concern; and
- understand that safeguarding concerns must never be ignored.

The nursery will not tolerate victimisation, intimidation, harassment or detrimental treatment of anyone who raises a genuine concern.

What Concerns Can Be Raised?

A whistleblowing concern may relate to information which a worker reasonably believes shows that:

- a criminal offence has been committed, is being committed or is likely to be committed;
- a person has failed, is failing or is likely to fail to comply with a legal obligation;
- a miscarriage of justice has occurred, is occurring or is likely to occur;
- the health or safety of an individual has been, is being or is likely to be endangered;
- the environment has been, is being or is likely to be damaged; or
- information relating to any of the above is being deliberately concealed.

In an early years setting, this may include concerns about:

- unsafe or poor safeguarding practice;
- failure to follow the nursery's safeguarding and child protection procedures;
- failure to report or act upon a safeguarding concern;
- inappropriate behaviour by a member of staff towards a child;
- inappropriate use of physical intervention;
- failure to maintain appropriate supervision of children;
- unsafe staffing arrangements;
- deliberate breaches of EYFS requirements;
- unsafe premises or working practices;
- failure to appropriately respond to allegations against staff;
- inappropriate handling or concealment of safeguarding information;
- deliberate falsification of records;
- serious breaches of health and safety requirements; or
- management failing to take appropriate action when serious concerns have been raised.

Safeguarding and Child Protection Concerns

Where a concern relates directly to the safety or welfare of a child, the nursery's Safeguarding and Child Protection Policy must also be followed.

Safeguarding concerns must be acted upon immediately and in accordance with local safeguarding procedures. Staff must not delay reporting a safeguarding concern while deciding whether it meets the definition of whistleblowing.

Examples include concerns that:

- a child may be experiencing abuse or neglect;
- a child has disclosed abuse;
- a member of staff may have harmed or abused a child;
- unsafe practice is placing children at risk;
- a safeguarding concern has been reported but has not been acted upon; or
- management is deliberately ignoring or concealing safeguarding concerns.

If a child is in immediate danger, staff must contact the emergency services as appropriate.

Raising a Concern Internally

Staff should normally raise concerns as soon as possible with: The Designated Safeguarding Lead (Saffron Blevin)

Staff should provide as much information as possible, including:

- what they are concerned about;
- who is involved;
- when and where the concern occurred;
- who may be affected;
- what action, if any, has already been taken; and
- any relevant records or evidence.

Staff should record concerns accurately and objectively and should not investigate matters themselves unless specifically asked to do so by the appropriate person.

If the Concern Involves the Manager or DSL

If the concern relates to the nursery manager, owner, DSL or another person who would normally receive the disclosure, the concern must **not** be reported to that person.

Instead, the worker should report the concern to: Dimitra (Deputy Operations Manager) & LADO.

Where the concern involves the person responsible for safeguarding, the worker must follow the nursery's safeguarding procedures for allegations against staff and the relevant local authority procedures.

If the Concern Is Not Taken Seriously

If a worker raises a concern internally and reasonably believes that:

- no appropriate action has been taken;
- the concern has been ignored;
- the concern has not been properly investigated;
- evidence may be being concealed or destroyed;
- they have been discouraged from raising the concern; or
- children remain at risk,

they should escalate the concern.

The worker may seek advice from an appropriate external organisation, including the NSPCC Whistleblowing Advice Line.

NSPCC Whistleblowing Advice Line

The NSPCC Whistleblowing Advice Line provides confidential advice to people who are concerned about how child protection issues are being handled within an organisation.

The service can be contacted where a worker is worried that their organisation may be putting children at risk, including where a concern has already been raised but has not been appropriately addressed.

NSPCC Whistleblowing Advice Line

Telephone: 0800 028 0285

Email: help@nspcc.org.uk

The NSPCC states that workers can contact the service about concerns that have happened in the past, are happening now or may happen in the future. The worker can remain anonymous if they wish. The NSPCC is a prescribed whistleblowing body for child welfare and protection.

Staff can contact the NSPCC directly where they feel unable to raise a concern internally or where they believe their concern has not been appropriately addressed.

Protection for Whistleblowers

The nursery recognises that workers may be concerned about the consequences of raising a whistleblowing concern.

Workers are protected by law from certain forms of unfair treatment when making a qualifying whistleblowing disclosure in accordance with the relevant legislation.

The nursery will not tolerate:

- victimisation;
- bullying;
- harassment;
- intimidation;
- threats;
- detrimental treatment;
- discrimination; or
- disciplinary action intended to punish someone

because they have raised a genuine concern appropriately.

The nursery will take appropriate action where a person is found to have victimised or attempted to deter another person from raising a genuine concern.

The nursery will also ensure that confidentiality is respected as far as possible. However, confidentiality cannot always be guaranteed where information needs to be shared to safeguard children, investigate concerns or meet legal requirements.

Malicious or Deliberately False Allegations

The nursery recognises that a person does not need to prove their concern before raising it. However, deliberately making a false allegation, or raising a concern maliciously with knowledge that it is untrue, may be treated as a disciplinary matter.

Staff should always raise concerns honestly and provide factual information where possible. A concern should not be dismissed simply because it cannot immediately be substantiated.

Confidentiality

All whistleblowing concerns will be treated sensitively and confidentially.

Information will only be shared with people who need it to:

- protect children;

- assess or investigate the concern;
- take appropriate action;
- meet safeguarding or legal requirements; or
- make an appropriate referral to another agency.

Staff should not discuss whistleblowing concerns with colleagues, parents or other individuals.

The identity of the person raising the concern will be protected as far as reasonably practicable. However, there may be circumstances where their identity needs to be disclosed to another agency or as part of an investigation.

Management Responsibilities

Management will:

- ensure all staff are aware of this policy;
- provide staff with appropriate safeguarding and whistleblowing information;
- ensure staff know who they can report concerns to;
- take all concerns seriously;
- respond promptly and appropriately;
- ensure safeguarding concerns are dealt with in accordance with local procedures;
- maintain appropriate records of concerns and actions taken;
- protect whistleblowers from victimisation;
- ensure confidentiality is maintained wherever possible;
- escalate concerns to appropriate external agencies when required;
- cooperate with investigations by safeguarding partners, Ofsted, the police, LADO or other relevant agencies; and
- regularly review the effectiveness of the whistleblowing procedure.

Management must not attempt to discourage, obstruct or prevent a worker from raising a legitimate concern.

Staff Responsibilities

All staff have a responsibility to:

- remain alert to unsafe or poor practice;
- report safeguarding concerns immediately;
- follow the nursery's safeguarding and whistleblowing procedures;
- raise concerns where they reasonably believe children may be at risk;
- provide accurate information;
- maintain confidentiality;
- cooperate with appropriate investigations; and
- escalate concerns if they believe that appropriate action has not been taken.

Staff must never assume that someone else will report a concern.

Failure to Report Serious Concerns

The nursery expects staff to report serious safeguarding and welfare concerns.

Where a staff member deliberately fails to report a serious concern, or deliberately conceals information relating to a child's safety or welfare, this may be investigated under the nursery's disciplinary procedures.

Any allegation of misconduct will be considered fairly and in accordance with the nursery's disciplinary procedures.

Records

All whistleblowing concerns will be appropriately documented.

Records will include, where appropriate:

- the date and time the concern was raised;
- the nature of the concern;
- who raised the concern;
- who received the concern;
- action taken;
- referrals made;
- advice received;
- outcomes where information can appropriately be shared; and
- any further action required.

Records relating to safeguarding concerns will be managed in accordance with the nursery's safeguarding and record-keeping procedures.

Training and Awareness

All staff will be made aware of this policy during induction and will receive appropriate safeguarding training and updates.

Staff will be reminded that they can raise concerns externally if they believe that internal procedures have not resulted in appropriate action.

The nursery will ensure that staff know the contact details for:

- the Nursery Manager;
- the DSL;
- the alternative person to report to where the concern involves management;
- the LADO;
- local Children's Social Care;
- Ofsted; and
- the NSPCC Whistleblowing Advice Line.

Review of Policy

This policy will be reviewed:

- annually;
- following any significant whistleblowing concern;
- following changes to legislation or statutory guidance;
- following changes to EYFS requirements;
- following changes to local safeguarding arrangements; or
- where an incident identifies that changes are required.

The nursery will ensure that the policy remains consistent with current EYFS safeguarding requirements and relevant Ofsted and safeguarding guidance.

This policy was adopted on	Signed on behalf of the nursery	Date for review
<i>11/08/2026</i>	F.Joyce	<i>December 2026</i>

