

WHISTLEBLOWING POLICY– SEPTEMBER 2025

1. Policy Statement

Eaton Mill Nursery is committed to the highest standards of openness, integrity, and accountability. It is recognised that people working in the setting are often the first people to witness any type of wrongdoing within an organisation and, that information uncovered could prevent wrongdoing, which may damage an organisation's reputation or performance, and could even save people from harm or death.

In line with the Nursery's commitment to openness, probity and accountability, all individuals working at EMN will be encouraged to report concerns to the Manager, or appropriate prescribed body (as listed in Section 4: External Reporting), if they see or suspect that something is wrong - this is known as "blowing the whistle".

This whistleblowing procedure is intended to encourage and enable staff and stakeholders to raise serious concerns within the Nursery rather than overlooking a problem or raising the matter externally.

Grievances (e.g. personal disputes about your own contract or hours) are not whistleblowing and should be handled under the separate Grievance Policy.

This policy applies to all staff and volunteers working in the Nursery including any agency staff, contractors, and third-party providers working on-site.

2. Scope of the Policy

This policy should be read alongside the Nursery's Staff Code of Conduct and Low-Level Concerns Policy, which covers behaviour that does not meet the harm threshold but is inconsistent with the setting's values.

Whistleblowing is the disclosure of information that relates to suspected wrongdoing or dangers at work.

To be covered by whistleblowing law, the disclosure must be a 'qualifying disclosure'. A qualifying disclosure is any disclosure of information which, in the reasonable belief of the worker making the disclosure, is made in the public interest and tends to show one or more of the following:

- That a criminal offence has been committed, is being committed or is likely to be committed.
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
- That a miscarriage of justice has occurred, is occurring or is likely to occur.
- That the health or safety of any individual has been, is being or is likely to be endangered.
- That the environment has been, is being or is likely to be damaged.
- That information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

Examples within the setting may include:

- Safeguarding Failures: Failure to comply with statutory safeguarding obligations (e.g. staff:child ratios, safer eating protocols).
- Abuse of Position: Inappropriate behaviour by a staff member, volunteer, or contractor.
- Health & Safety: Risks to the safety of children, staff, or visitors.
- Criminal Activity: Including fraud, theft, or financial mismanagement.
- Concealment: Deliberate attempts to cover up any of the above.

3. Internal Reporting Procedure

Staff are encouraged to raise concerns internally first to allow the setting to address the issue quickly.

- **Step 1:** Report the concern to the Nursery Manager.
- **Step 2:** If the concern involves the Manager, staff report the EMN Liaison or directly to the CEO.
- **Step 3:** If the concern involves the CEO, report to the Director.
- **Step 4:** Concerns should ideally be in writing, providing the background, names, dates, and the specific reason for the concern.

4. External Reporting (Escalation)

Under the EYFS 2025 framework, if a staff member feels unable to raise the issue internally, or feels their concern has not been addressed, they must use external channels:

- **LADO (Local Authority Designated Officer):** For allegations against staff.

Service	Contact Information
LADO Direct Line	01908 254307
LADO Email	LADO@milton-keynes.gov.uk
MASH (Urgent Harm)	01908 253169 or 253170
Out of Hours	01908 265545 (Emergency Social Work Team)

- **Ofsted:** For concerns about the safe and effective running of the setting.

Phone: 0300 123 1231 / Email: whistleblowing@ofsted.gov.uk

- **NSPCC Whistleblowing Advice Line:**

Phone: 0800 028 0285 / Email: help@nspcc.org.uk

- **Protect (Whistleblowing Charity):** For free, confidential legal advice.

Phone: 020 3117 2520

5. Protections for the Whistleblower

In accordance with the Public Interest Disclosure Act 1998:

- **Confidentiality:** The nursery will make every effort to protect the whistleblower's identity.
- **No Detriment:** No member of staff will be penalised for raising a genuine concern, even if the investigation finds no wrongdoing.
- **Malicious Allegations:** If a staff member makes an allegation they know to be false or malicious, this may be treated as a disciplinary matter.

6. Nursery Response to Concerns

Initial Acknowledgement (Within 24 Hours):

The Manager or CEO acknowledges the concern immediately (within 24 hours).

- Reassure the Whistleblower: Confirm that their identity will be kept confidential as far as possible and explicitly state that they will suffer no "detriment" (e.g. bullying, loss of hours, or disciplinary action) for raising the concern.
- Formalise the Record: Record the date, the nature of the concern, and the evidence provided.

Immediate Risk Assessment

Before a full investigation begins, the nursery must ensure children are safe.

- Neutral Act: Suspension is a neutral act, not a disciplinary sanction, and will be considered only after a risk assessment indicates it is a necessary safeguard for children, the staff member, or the investigation. Any such suspension will be on full pay, and the staff member will be assigned a "welfare officer" (someone not involved in the investigation) to support their wellbeing during the process.
- LADO Notification: If the concern meets the threshold of an allegation against a staff member, the Manager/CEO contacts the Milton Keynes LADO within 24 hours, before the internal investigation process begins.

The Investigation Process

The Nursery will appoint an appropriate person to investigate the disclosure; depending upon the circumstances of the case, this may be an internal or external appointment.

The investigating officer will then write to the individual within 10 working days of the initial meeting to indicate proposals for dealing with the matter.

The initial stage will be an interview with the whistleblower, and then an assessment of further action will be discussed. During this initial stage, the investigating officer will establish if:

- There are grounds for a concern and that it is genuine.
- The concern was raised in accordance with this policy.

During the initial interview, the investigating officer will request the individual puts their concern in writing, if they have not already done so.

The investigating officer will explain the following to anybody raising a concern:

- How they will communicate with the complainant throughout the process. It should be noted, the need for confidentiality may prevent the Nursery giving the complainant specific details of any necessary investigation or any necessary disciplinary action taken as a result of the concern.
- That the complainant's identity will be kept confidential from the alleged wrongdoer.
- That the Directors will do everything in its power to protect the complainant from discrimination.
- That if the concern is genuine, even if the concern is not confirmed, no disciplinary action will be taken against the complainant.

If clear evidence is uncovered that the complainant's concern is malicious or unfounded, disciplinary action may be brought against them.

If an investigation is carried out, the whistleblower will be informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent specific details being provided of the investigation outcome or any disciplinary action taken as a result.

It may be possible for the concern to be resolved by simply agreeing the necessary action or explaining procedures to the alleged wrongdoer; however, depending on the severity and nature of the concern, it may:

- Be investigated by management, an internal audit or through the disciplinary process.
- Be referred to the police or an external auditor.
- Form the subject of an independent inquiry.

In the spirit of this policy, and in the interests of openness and transparency, if the investigating officer needs to talk to the whistleblower, they will be permitted to be accompanied by a colleague or a trade union representative. The whistleblower's companion must respect the confidentiality of their disclosure and any subsequent investigation.

Outcome and Feedback

The Nursery must close the loop with the person who raised the concern.

- **The Report:** While the nursery cannot share confidential disciplinary details about another staff member, the whistleblower is informed that the matter has been investigated and whether action has been taken.
- **Right to Escalate:** If the whistleblower is unhappy with the response, the nursery must remind them of their right to contact Ofsted or the NSPCC Whistleblowing Advice Line.

A record will be made of the nature and outcome of the concern. The purpose of this is to ensure that a central record is kept which can be cross-referenced with other complaints to monitor any patterns of concern across the setting and to assist in monitoring the procedure.

7. Review and Learning

Once the investigation is complete, the Nursery has a statutory duty under the 2025 "Culture of Vigilance" requirements to:

- Review if a policy or training gap allowed the wrongdoing to happen.
- Update the Single Central Record (SCR) / staff training logs as necessary.
- Ensure the policy is accessible and clearly understood by all.

8. Training and Awareness (EYFS 2025 Annex C)

- **Induction:** All staff, students, and volunteers will be briefed on this policy on Day One.
- **Refresher:** Whistleblowing is a core component of our biennial (every 2 years) mandatory safeguarding training and annual refreshers.
- **Supervision and Support:** Whistleblowing procedures and "professional curiosity" will be a standing agenda item in regular 1-to-1 staff supervisions.
- **Whistleblowing Log:** The Nursery maintains a log to monitor patterns of concern.