Whistleblowing Policy

Last reviewed: 29 May 2026
Approved by: Nursery Management

Whistleblowing is the term used when a worker raises a concern about a wrongdoing at work. At Crossley Mill Nursery we expect all our colleagues, both internal and external, to be professional at all times and hold the welfare and safety of every child as their paramount objective.

We recognise that there may be occasions where this may not happen and we have in place a procedure for staff to disclose any information that suggests children's welfare and safety may be at risk.

We expect all team members to immediately raise and talk through any concerns they have with their supervisor.

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'. On 25 June 2013, there were some legal changes to what constitutes a qualifying disclosure.

A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that:

- 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 is being, has been, or is likely to be, committed.
- Sexual harassment

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.

It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be, committed; a reasonable belief is sufficient.

Disclosure of information

If, in the course of your employment, you become aware of information which you reasonably believe indicates that a child is, or may be, or is likely to be, in risk of danger and/or one or more of the following may be happening, you MUST use the nursery's disclosure procedure set out below:

- That a criminal offence has been committed or 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 (e.g. EYFS, Equalities Act 2010)
- 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 sexual harassment has been committed
- That information tending to show any of the above, has been, is being, or is likely to be deliberately concealed.

Disclosure procedure

- If this information relates to child protection and safeguarding then the nursery child protection and safeguarding children policy should be followed, with particular reference to the staff and volunteering section. See below for the Whistleblowing Safeguarding Concerns Flowchart.
- Where you reasonably believe one or more of the above circumstances listed has occurred, you should immediately disclose this to the designated safeguarding lead (DSL), or deputy DSL, so that any appropriate action can be taken. If it is inappropriate to make such a disclosure to the DSL/deputy DSL (i.e. because it relates directly to them) you should speak to the nominated safeguarding lead of the Board of Trustees, Oliver Sparasci (oli@sparasci.co.uk)

  Employees will suffer no detriment of any sort for making such a disclosure in accordance with this procedure. For further guidance in the use of the disclosure procedure, employees should speak in confidence to the DSL/deputy DSL.
- Any disclosure or concerns raised will be treated seriously and will be dealt with in a consistent and confidential manner and will be followed through in a detailed and thorough manner
- Any employee who is involved in victimising employees who make a disclosure, takes any action to deter employees from disclosing information or makes malicious allegations in bad faith will be subject to potential disciplinary action which may result in dismissal
- Failure to report serious matters can also be investigated and potentially lead to disciplinary action which may result in dismissal
- Any management employee who inappropriately deals with a whistleblowing issue (e.g. failing to react appropriately by not taking action in a timely manner or disclosing confidential information) may be deemed to have engaged in gross misconduct which could lead to dismissal
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We give all of our staff the telephone numbers of the Local Authority Designated Officer (LADO), the local authority children's social care team and Ofsted so all staff may contact them if they cannot talk to anyone internally about the issues or concerns observed.

Local Authority Designated Officer (LADO)	01422 394055 / 07596888147 ladoadmin@calderdale.gov.uk
Local authority children's social care team (MAST)	01422 393336
Ofsted	0300 123 1231
NSPCC	0800 0280285
Police Emergency	999
Police Non-Emergency	101

Whistleblowing Safeguarding Concerns Flowchart

