



Whistle-blowing

Policy & procedures

As a Kirklees Local Authority maintained school, Marsden Infant and Nursery School follows the Council's Whistle-blowing procedures provided to schools.

From 1st September, the Department of Education (DfE) has implemented an updated EYFS framework for group and school-based providers (July 2026) which has new requirements for whistle-blowing. **These requirements are based on good practice and are appropriate for all staff who work at Marsden Infant and Nursery School.** These requirements are applicable throughout the school and include the following:

Whistle-blowing

The school has appropriate whistle-blowing procedures in place for all staff (including students and volunteers and helpers) to raise concerns about poor or unsafe practice in the setting's safeguarding provision. Staff are informed about when and how to report concerns and the process that will be followed after they report concerns.

The school's whistle-blowing is shared with all staff at the beginning of each academic year and when new staff, volunteers and helpers join. The school's approach is to encourage staff to raise concerns about poor or unsafe practice and know that such concerns will be taken seriously by the senior leadership team.

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

- NSPCC whistle-blowing advice line is available. Staff can call 0800 0280285 – 08:00-20:00 Monday to Friday and 09:00-18:00 at weekends. The email address is: help@nspcc.or.uk Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42, Curtain Road, London EC2A 3NH
- Ofsted provides guidance on how to make complaints about a provider: Complaintsprocedure-ofsted-Gov.UK (www.gov.uk)
- General guidance on whistle-blowing can be found via: Whistle-blowing for employees.

What to consider when an allegation is made:

If the school has concerns about children's safety or welfare, there are two aspects to consider when an allegation is made.

- **Looking after the welfare of the child** – the designated safeguarding lead (or a deputy) is responsible for ensuring that the child is not a risk and referring cases of suspected abuse to the local authority children's social care as described in Part one of KCSIE (2026)
- **Investigating and supporting the person subject to the allegation** – the case manager should discuss with the LADO the nature, content and context of the allegation and agree a course of action.

Whistle-blowing Reporting Procedures

Aims and Scope

Marsden Infant and Nursery School is committed to achieving the highest possible standards of openness, probity and accountability in all of its practices. This policy applies to all

employees, volunteers and helpers, agency staff and staff contracted to work in our school. Concerns from parents and students should fall under the School's Complaints Procedure or, if regarding an allegation of abuse or neglect against a member of staff, under the Managing Allegations Against Staff policy.

The aims of this policy are:

- To provide information about what the whistle-blowing process means for openness, confidentiality and anonymity.
- To encourage staff to question and act upon concerns about malpractice and to feel confident in raising serious concern:
- To provide avenues for staff to raise those concerns:
- To ensure that staff raising concerns receive feedback on any action taken, if possible
- Provide guidance to staff on how to take matters further if they are not satisfied;
- To reassure staff that they will be protected from possible reprisals or victimisation if they have made the disclosure in good faith.

Definition of Whistle-blowing

Whistle-blowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for staff to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'. Whistleblowing occurs when a member of staff raises a concern about a dangerous or illegal activity that they are aware of through their work. To be covered by whistle-blowing law, a worker who makes a disclosure must reasonably believe two things. The first is that they are acting in the public interest. This means that personal grievances and complaints are not usually covered by whistleblowing law. The second thing that a worker must reasonably believe is that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories.

Possible issues include:

- Conduct which is an offence or a breach of the law
- Health and safety risks (to pupils and members of the public as well as to staff).
- Damage to education property
- Unauthorised use of public funds and resources
- Fraud and corruption
- Abuse of clients
- Abuse or intimidation of staff or pupils
- Use of AI-generated deepfakes
- Online sexual harassment
- Targeted online misogyny
- Targeted online misandry
- Cover serious youth violence
- Known student weapon possession
- Address VPN circumvention behaviours
- Flag failing filtering systems
- Lack of safe Recruitment
- Showing undue favour to a contractor or a job applicant
- Concerns that either children are being exploited for labour, or suppliers are exploiting others that could constitute act of modern slavery.
- Other unethical conduct.

This list is not exhaustive. This policy is intended to cover major concerns that staff might have. The earlier a concern is raised the easier it will be to take action. You the whistle-blower are a witness to events not the investigator. You do not need to wait for compelling evidence before raising concerns but you must have reasonable grounds for your suspicion. It is important that all staff recognise their responsibility in creating a safe culture. Any member of staff who knows that a child is maybe at risk, but does not blow the whistle or raise a concern through safeguarding procedures, may be subject to disciplinary action.

Whistleblowing is relevant to all organisations and all people. This is because every business and every public body faces the risk of things going wrong internally. Where such a risk arises, usually the first people to realise or suspect the wrongdoing will be staff.

Your confidence

It can be difficult to know what to do. You may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, head teacher or to the school and sometimes it may seem difficult to speak up because of a fear of harassment or victimisation. However, all staff have a responsibility to voice any concerns that they have, normally with their Line Manager/Head Teacher. We have introduced this policy to enable staff to raise genuine concerns about such malpractice at an early stage and in the right way. We would rather you raise the matter when it is just a concern, rather than wait for proof. The Whistleblowing Policy is independent and confidential. We will make sure that you will not be victimised or suffer disadvantage if you report your genuine concern. The malpractice might be carried out by staff, Governors, contractors or external agencies.

Whistleblowing Concern or Grievance

This procedure is not to be used if you are generally dissatisfied at work or as a replacement to your existing employment rights. If you have a concern regarding your employment this should be addressed through the School's Grievance Policy.

Anonymous Concerns

There may be good reasons why you wish to blow the whistle anonymously and you are able to raise a concern in this way via written communication. However, it is more difficult to look into the concern. It is more difficult to protect a member of staff's position or to inform them of the outcome. The same support and assurances cannot be guaranteed if a concern is reported anonymously. Making a disclosure anonymously means it can be more difficult for you to qualify for protection as a whistle-blower. This is because there would be no documentary evidence linking you to the disclosure for the employment tribunal.

What happens if you are implicated?

If you blow the whistle and actively cooperate with an investigation in which you may be implicated in any wrongdoing, you are likely to receive a lighter sanction than might otherwise have been the case (unless the misconduct is so serious that no amount of cooperation or other mitigating conduct can justify a decision not to bring any action).

How to raise a concern

1 Through your line manager. Normally you should contact your line manager in the first instance who will then, if required, liaise with the Head Teacher.

- If you work predominately as a SEND 1:1 you should speak to Mrs S Whitehouse.
- If you work predominately in EYFS, then you should speak with Mrs V Sewell.
- If you work predominately in KS1, lunchtime or you are within the business team, or your concern is regarding SLT please speak with Mrs N Jablonski.
- If you are part of the site team, caretaker/cleaner or contractor please speak with Mrs C Martin.

If your concern relates to Mrs N Jablonski, then you should speak to Mrs H Allen (COG).

If you choose to speak to a colleague, he/she may nominate another responsible manager to handle your concern. You must ask this colleague their course of action, so you know that your concern is being acted upon, and you are fully aware of the next steps. But if you feel that you can't do this – for example, if you believe that they are involved – then you should contact your Head Teacher.

2. Your line manager, or the responsible manager, will arrange to meet with you as soon as possible to discuss your concern. This meeting can take place away from the workplace if necessary.

3. You will be told at the meeting, or as soon as possible afterwards, what action will be taken to address your concern. It may not be possible to tell you the full details of the outcome, as this could relate to confidential third-party information. If no action is to be taken in relation to your concern, you will also be informed of this fact and given the reasons why.

4. If you do not want the person, you have concerns about to know your identity, you should make this clear to the responsible manager at the earliest opportunity. Every effort will be made to respect your wishes, but it cannot be guaranteed that your identity will not be disclosed. If this is the case, you will be informed and any issues you may have about this will be discussed with you.

5. If you need support in raising your concern, you may bring a work colleague or trade union representative with you to the meeting with the responsible manager.

What to do if someone raises a concern with you about malpractice

6. If someone tells you they are concerned about the actions of another staff member or volunteer, you should arrange to meet him/her as soon as possible. If you are not the person's line manager, you should establish why he/she has chosen to discuss the concern with you. You may suggest that the person speaks to another responsible manager if you wish, but you should not refuse to hear what the person has to say.

7. You should approach the situation sensitively, recognising the discomfort that the person may feel. Offer to meet him/her away from school if he/she wishes, and allow him/her to bring a work colleague or trade union representative to the meeting. You should also remind the person with the concern about other sources of support available to him/her. Some are listed at the end of this document.

8. If the person reporting the concern wants his/her identity to be kept confidential, you should explain that this will be done, if possible, but that it may not be achievable. Make notes of your discussions with the individual, and check the accuracy of your notes with him/her.

Deciding what action to take:

9. Once you have established the nature of the concern, it may be of a relatively minor nature and you may decide to resolve it informally.
10. If the concern appears more serious, you must consider first whether any immediate action is needed to protect children. If so, you should refer to your Safeguarding Policy to consider what action to take.
11. You should also consider whether there is a need to involve the police and/or other statutory services.
12. If you are not the manager of the person who is the subject of the concern, you should refer the matter to the person's manager, who will decide what action to take.

Conducting an investigation

13. Unless the matter is relatively minor and can be dealt with informally, the responsible manager should arrange for an investigation to be completed as swiftly as possible. The investigation should be demonstrably thorough and impartial.
14. The scope of the investigation will be determined by the nature of the concern. Witnesses may need to be interviewed and records may need to be scrutinised. It is also possible that advice may be needed from someone with specialist knowledge in human resources.
15. Once the investigation is completed, a report should be produced summarising the nature of the concern, the investigation process and the outcome, including specific recommendations. Take measures to preserve the anonymity of the person who raised the concern if this has been his/her wish. If the concerns are not upheld, this should also be made clear.
16. If the concern is upheld and the person at the centre of it is found to have been culpable or remiss in some way, the report's recommendations should be carried out using a clear plan of action. The plan may include the use of disciplinary action, training, coaching, counselling, the implementation of new policies or procedures for the whole workforce, or a referral to the Independent Safeguarding Authority.
17. If it becomes apparent during the course of the investigation that a criminal offence may have been committed, the police should be informed. Your own investigation may have to be suspended on police advice, if they decide that they need to become involved.
18. The person who raised the concern should be informed of the outcome, but not the details of any disciplinary action. It may be appropriate for the person who raised the concern to be offered support or counselling.
19. If the concern is unfounded and the person who raised it is found, through the process of investigation, to have acted maliciously or out of a desire for personal gain, it may be appropriate to consider disciplinary action against him/her.

Recording the concerns:

20. The responsible manager should make accurate notes of each stage of the process, including the discussions during meetings, regardless of whether the concern is dealt with formally or informally.

21. Copies of notes should be given to the person who is the subject of the concern. The person who raised the concern should also be given copies of notes from his/her discussion.

22. Notes made during the investigation and the report of the investigation, together with any notes relating to the outcome, should be kept on the file of the person at the centre of the concern. If it was requested, these notes should not reveal the identity of the person who reported the concerns.

Raising your concerns elsewhere. This policy is intended to provide you with an avenue with school to raise your concerns. The school hopes you will be satisfied with any action taken.

Further information and advice can be obtained from:

- Your Trade Union representative
- A councillor
- Council's external auditor Grant Thornton, Leeds LS1 4BN 0113 200 2699
- Police- phone 101
- Public Concern at Work -an independent charity on whistleblowing at <http://www.pcaw.co.uk/> Tel: 020 7404 6609
- The Charity Commission for England and Wales Tel: 0845 300 0218 <http://www.charity-commission.gov.uk/>

Kirklees LADO

Contact Details

- **Email:** LADO.cases@kirklees.gov.uk
- **Phone:** 01484 221126
- **Guidance:** Review the [Kirklees LADO Practice Flowchart](#) for full visual steps
- LADO website <https://www.kirklees.gov.uk/beta/working-with-children/lado.aspx>