

Whistleblowing is when someone sincerely raises concerns either within the organisation they work for or externally.

These concerns usually relate to misconduct or malpractice in the past or now or something they fear may happen in the future.

The [Public Interest Disclosure Act 1998](#) protects workers from any detriment from their employer (e.g. bullying or termination of contract) if they disclose information that they reasonably believe is in the public interest and relates to:

- a criminal offence
- the breach of a legal obligation
- a miscarriage of justice
- a danger to the health & safety of an individual
- damage to the environment
- information concerning the above that has been or is likely to be deliberately concealed

**All settings need a clear whistleblowing policy that is known to all, includes how to escalate concerns & has a clear procedure for allegations against persons working with the setting.**

The organisational culture at your setting should:

- Encourage a safe environment that welcomes the raising of concerns about poor or unsafe practices, resolution of conflict & building trust
- Understand the benefit of addressing issues
- Support staff to reflect about their practice
- Respond to concerns quickly, proportionately, fairly and without reprisal
- Value regular staff learning and training

## Whistleblowing different from other concerns:

- A **grievance** is when an employee has a dispute about their employment & it is dealt with by their organisations' internal procedures
- A **complaint** is usually about someone being poorly treated and seeking redress or justice

Ofsted has some limited powers to deal with complaints e.g. about settings that it regulates such as childcare providers and children's homes. Ofsted does not regulate schools and colleges.

In the case of maintained schools Ofsted can consider complaints relating to standards of education, pupil achievement, pupil needs not being met and poor management practice.

## Concerns about an organisation's practice when safeguarding children or vulnerable adults:

- Raise your concern internally, e.g. with your senior leadership team
- If you feel unable to do this (e.g. your concern relates to them), raise your concern with one of the specified people in your organisation's whistleblowing policy
- If you have raised your concern but feel that the matter has not been dealt with appropriately, your whistleblowing policy should tell you how to escalate that concern

## Worried about how to raise a concern?:

- Seek independent advice e.g. through your trade union and/or professional body
- Contact the NSPCC, Ofsted or Secretary of State for Education as appropriate (see below)

In some circumstances your identity can be kept confidential, but this is not always appropriate as it may limit an investigation.

Anonymous allegations must be taken seriously, but information about a child or vulnerable adult being at risk must be passed to Social Care to be investigated and any anonymity may be lost.

## Useful resources:

- [NSPCC Whistleblowing Advice Line](#)
  - tel. 0800 028 0285
  - email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)
- **Secretary of State for Education** (whistleblowing & complaints):
  - Tel: 0370 000 2288
  - Website: [www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)
- **Ofsted Whistleblowing** (residential schooling):
  - tel. 0300 1233155
  - email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)
- ['Whistleblowing procedure for maintained schools', DFE 2014](#)
- [Protect Advice Line](#)
  - tel. 020 3117 2520