

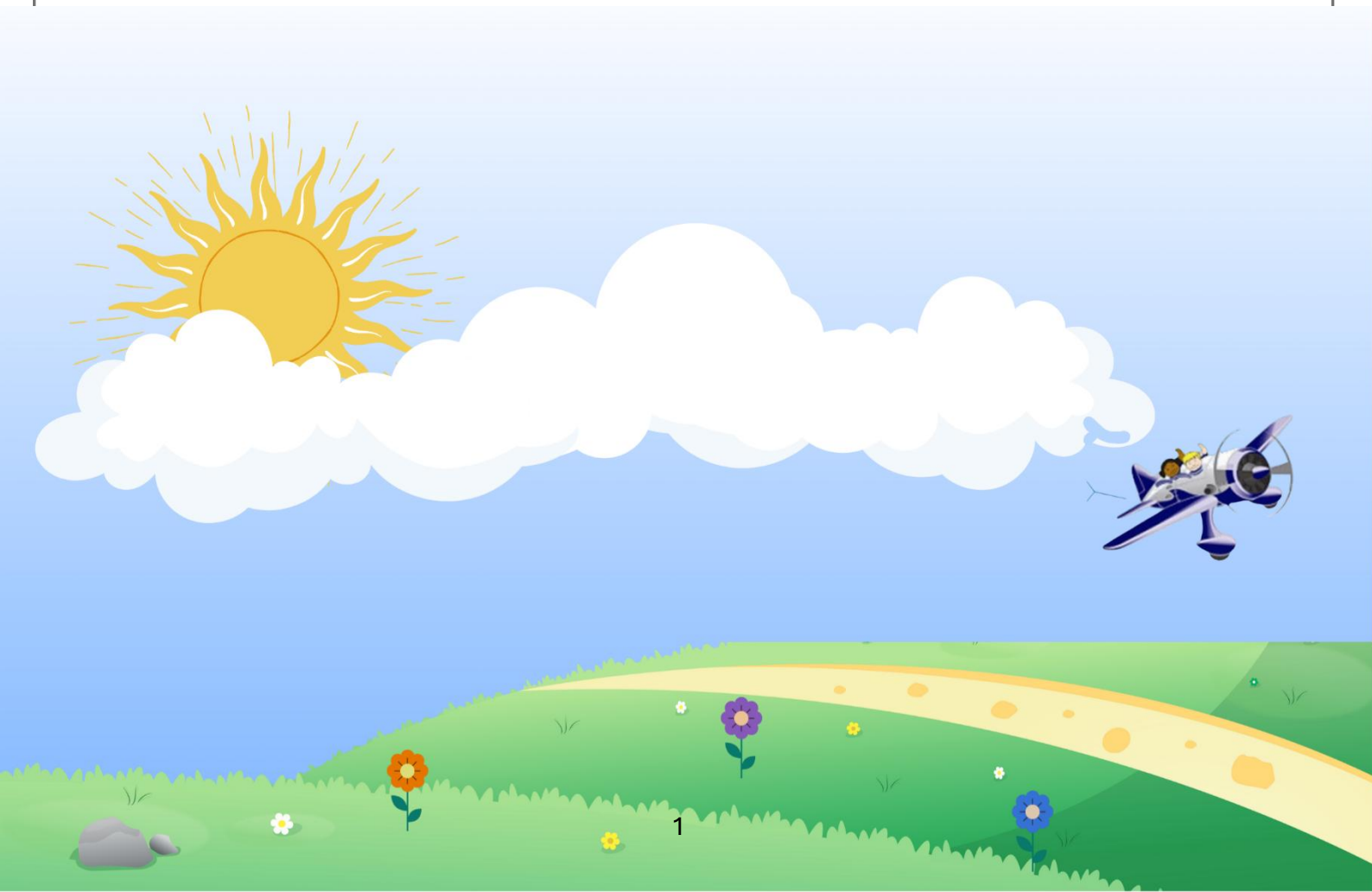
# **Perry Beeches Nursery School**



# **Marsh Hill Nursery School**



# **Whistleblowing Procedure**



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## **1. Policy Statement**

- 1.1 Both Perry Beeches and Mash Hill Nursery Schools are committed to the highest standards of integrity, accountability, and openness in all its activities. Staff, volunteers, governors, contractors, and other stakeholders have a duty to raise concerns about malpractice, wrongdoing, or risks to children, staff, or public funds.
- 1.2 This policy enables individuals to make protected disclosures under the Public Interest Disclosure Act 1998 (PIDA) and the Employment Rights Act 1996, ensuring they can raise concerns without fear of victimisation.
- 1.3 This policy aligns with:
  - a. Early Years Foundation Stage (EYFS) Statutory Framework
  - b. Keeping Children Safe in Education
  - c. Working Together to Safeguard Children
  - d. Birmingham City Council Whistleblowing Standards
  - e. UK Whistleblowing Code of Practice (2015)
  - f. Nolan Principles of Public Life

## **2. Purpose of This Policy**

- 2.2 This policy:
  - a. Provides a mechanism for raising concerns about alleged wrongdoing.
  - b. Ensures staff can raise concerns in the public interest.
  - c. Protects whistleblowers from detrimental treatment.
  - d. Ensures all disclosures are taken seriously, investigated, and handled confidentially.
  - e. Provides escalation routes where internal reporting is not appropriate.

## **3. Scope**

- 3.1 This policy applies to:
  - a. All employees (permanent, temporary, supply, agency)
  - b. Trainees and students on placement
  - c. Volunteers
  - d. Governors
  - e. Contractors and third-party providers
  - f. Consultants
- 3.2 It covers concerns relating to:
  - a. Safeguarding risks or abuse of children
  - b. Failure to comply with statutory or legal obligations
  - c. Criminal activity
  - d. Financial malpractice, fraud, or mismanagement of public funds
  - e. Breaches of EYFS requirements
  - f. Health and safety risks
  - g. Misuse of school assets
  - h. Conduct likely to damage the reputation of the school
  - i. Covering up wrongdoing

- j. Systemic failures in leadership or governance

(This list is not exhaustive.)

#### **4. When Whistleblowing Should Be Used**

4.1 Whistleblowing is for concerns that:

- a. Are in the public interest
- b. Relate to wrongdoing that the individual reasonably believes is happening, has happened, or is likely to happen
- c. Affect pupils, staff, the school's integrity, or public funds

Whistleblowing **is not** for:

- a. Personal employment grievances (e.g., pay, workload disputes) These should be handled via the school's *Grievance Procedure*.

#### **5. Safeguarding Concerns**

5.1 Both Perry Beeches and Marsh Hill Nursery School are committed to safeguarding and promoting the welfare of all children. Safeguarding concerns must always be treated as a priority and reported immediately. Under *Keeping Children Safe in Education (KCSIE)* and the *EYFS Statutory Framework*, all staff have a mandatory duty to report concerns about a child's welfare or the conduct of an adult working with children.

##### **5.2 Reporting Safeguarding Concerns About a Child**

Any concern that a child may be at risk of harm, abuse, or neglect must be reported without delay to:

##### **5.3 Designated Safeguarding Lead (DSL)**

Interim Executive Headteacher - David Aldworth  
[d.aldworth@marshiln.bham.sch.uk](mailto:d.aldworth@marshiln.bham.sch.uk)

##### **5.4 Marsh Hill Nursery School - Deputy Designated Safeguarding Lead(s) (DDSL)**

- a. Jenny Barker (Assistant HT) – [j.barker@marshiln.bham.sch.uk](mailto:j.barker@marshiln.bham.sch.uk)
- b. Maria Irabor (Assistant HT) – [m.irabor@marshiln.bham.sch.uk](mailto:m.irabor@marshiln.bham.sch.uk)
- c. Jessica Lothian (Early Years Teacher) - [j.lothian@marshiln.bham.sch.uk](mailto:j.lothian@marshiln.bham.sch.uk)
- d. Jane Bailey (T.A/Deputy SENDCo) – [j.bailey@marshiln.bham.sch.uk](mailto:j.bailey@marshiln.bham.sch.uk)

## **Perry Beeches Nursery School - Deputy Designated Safeguarding Lead (DDSL)**

Claire McManus - Teaching assistant/Deputy SENDCo

[c.mcmanus@perrybn.bham.sch.uk](mailto:c.mcmanus@perrybn.bham.sch.uk)

- 5.5 If neither the DSL nor DDSLs are available, staff must report concerns to the Executive Headteacher or another senior leader, ensuring no delay.
- 5.6 Concerns About Adults Working With Children (Including Staff, Volunteers, Contractors or Governors)
- 5.7 Where a concern relates to the conduct, behaviour, or suitability of an adult working with children, staff must report this immediately to:
- Executive Headteacher, or
  - DSL, if the allegation relates to a member of staff.
- 5.8 If the concern relates to the Executive Headteacher, staff must report directly to:
- Chair of the Local Governing Body (Nominated Safeguarding/Whistleblowing Governor)
- 5.9 **Use of Whistleblowing Procedure for Safeguarding Matters**
- The whistleblowing procedures should be used only when:
- The concern involves the DSL, DDSLs, or a senior school leader; or
  - The individual believes the safeguarding concern has not been acted upon appropriately; or
  - There is a concern about a systemic safeguarding failure within the school.
- 5.10 Whistleblowing must never delay referrals to statutory services where a child may be at risk of immediate harm.
- 5.11 **External Escalation (Mandatory Where There Is Immediate Risk)**
- If the staff member believes a child is in **immediate danger**, or they are unable to raise the concern internally, they must contact external agencies directly:
- Birmingham Children's Trust – *MASH (Multi-Agency Safeguarding Hub)*
  - LADO (Local Authority Designated Officer) – for allegations against staff, volunteers, or adults in a position of trust
  - Police – if a crime is suspected (999 in emergencies)
- 5.12 Staff do not need to seek permission from any school leader to make a referral.
- 5.13 **Duty to Escalate and Follow Up**

If, after reporting a concern, a staff member believes appropriate action has not been taken, they must escalate the concern to:

- a. Local Authority Designated Officer,
- b. Birmingham Children's Trust,
- c. Ofsted (for EYFS welfare concerns), or
- d. Another prescribed body under the Public Interest Disclosure Act (PIDA).

5.14 KCSIE 2025 is explicit: any adult working in a school who has concerns about safeguarding must take responsibility for ensuring action is taken.

## **6. Protection for Whistleblowers**

6.1 Our Nursery Schools are committed to creating a culture where all staff, volunteers, and stakeholders can raise concerns safely, confidently, and without fear of reprisal. Each Nursery school recognises its legal duties under the Public Interest Disclosure Act 1998 (PIDA) and the Employment Rights Act 1996, which protect individuals who make "protected disclosures".

### **6.2 Legal Protection**

Individuals are legally protected as whistleblowers if:

- a. They disclose information they reasonably believe shows wrongdoing (e.g., safeguarding breaches, criminal offences, financial malpractice, health and safety risks).
- b. The disclosure is made in the public interest.
- c. The disclosure is made to an appropriate internal or external person (as set out in this policy).

Where these conditions are met, whistleblowers are protected from:

- d. Dismissal
- e. Detriment (including bullying, victimisation, intimidation, or unfavourable treatment)
- f. Any action intended to silence, discourage, or penalise them

6.3 Dismissal of an employee for making a protected disclosure is automatically unfair.

### **6.4 School Commitments**

Each Nursery School will:

- a. Treat all disclosures seriously and with confidentiality.
- b. Ensure whistleblowers are not subjected to any form of detriment, retaliation, or disadvantage.
- c. Take disciplinary action against anyone who victimises or attempts to victimise a whistleblower.
- d. Support individuals throughout the process, including access to HR or trade union advice if requested.
- e. Ensure whistleblowers are not prevented from seeking external advice or reporting to prescribed bodies (e.g., Ofsted, Police, LADO, BCC) when appropriate.
- f. Apply the presumption of good faith to anyone raising concerns.

## **6.5 Confidentiality**

- a. The identity of the whistleblower will be kept strictly confidential unless disclosure is required by law or necessary for a fair investigation.
- b. Where confidentiality cannot be guaranteed (e.g., due to legal requirements), the whistleblower will be informed in advance wherever possible.
- c. Notes, reports, and investigation records will be stored securely and in accordance with UK GDPR and BCC data retention requirements.

## **6.6 Anonymous Disclosures**

- a. Anonymous concerns will be considered and investigated.
- b. Whistleblowers are encouraged to provide contact details where possible, as this significantly assists the investigation and allows for feedback.
- c. Anonymous reports may limit the school's ability to take action or gather sufficient evidence.

## **6.7 Protection Against Detriment**

Detriment includes (but is not limited to):

- a. Changes to duties or working conditions
- b. Isolation or exclusion
- c. Threats, intimidation, or harassment
- d. Withholding opportunities for professional development
- e. Negative performance management without justification
- f. Any action designed to discourage the whistleblower or punish them

Any such actions will be treated as misconduct and may lead to disciplinary action.

## **6.8 Support for Whistleblowers**

The school recognises that whistleblowing can be challenging. Whistleblowers may access:

- a. The school's HR provider or Birmingham City Council Schools' HR
- b. Their trade union
- c. Advice from prescribed bodies where appropriate
- d. Pastoral or wellbeing support (where available within school)

No whistleblower will be asked to provide evidence beyond their reasonable knowledge.

## **6.9 Protection Even If the Concern Was Mistaken**

If an individual raises a concern in good faith, and it is subsequently judged to be unfounded or mistaken, no action will be taken against them. Protection applies regardless of whether the concern is ultimately substantiated.

Only malicious, knowingly false, or deliberately misleading allegations may result in disciplinary action (refer to Section 12).

## **7. Confidentiality and Anonymous Reporting**

- a. Disclosures will be kept confidential, including the whistleblower's identity, where reasonably possible.
- b. Anonymous disclosures will be investigated, though they may be harder to substantiate.
- c. Whistleblowers are encouraged to provide contact details to support an effective investigation.

## **8. How to Raise a Concern (Internal Procedure)**

- 8.1 Individuals may raise a concern verbally or in writing. Written disclosures should include:
- a. Background and nature of the concern
  - b. Names, dates, and locations (where known)
  - c. Any evidence available

Concerns should be raised in the following order:

### **Step 1 – Whistleblowing Officer**

Executive Headteacher

David Aldworth – [d.aldworth@marshiln.bham.sch.uk](mailto:d.aldworth@marshiln.bham.sch.uk)

### **Step 2 – Nominated Governor for Whistleblowing or Chair of Governing Board**

(Interim Chair) Sean Delaney [s.delaney@marshil.bham.sch.uk](mailto:s.delaney@marshil.bham.sch.uk)

### **8.4 Step 3 – Governing Body**

Clerk to the governing Body, Geeta Thabal - [Geeta.Thabal@sips.co.uk](mailto:Geeta.Thabal@sips.co.uk)

Step 3 should be used if the concern involves the Executive Headteacher and/or Chair, or where the whistleblower feels unable to raise it with them.

## **9. External Disclosures**

- 9.1 If internal routes are inappropriate, or the individual reasonably believes the matter has not been addressed, they may contact:

**Birmingham City Council – Whistleblowing/Democratic Services Team**

0121 303 7602

[whistleblowing@birmingham.gov.uk](mailto:whistleblowing@birmingham.gov.uk)

### **9.2 Prescribed Persons under UK Law**

Depending on the nature of the concern, prescribed bodies include:

- a. Ofsted (for EYFS, safeguarding, welfare, regulatory breaches)



- b. Department for Education
- c. Health and Safety Executive
- d. Information Commissioner's Office
- e. Police (criminal matters)
- f. Charity Commission (if charitable governance applies)

Whistleblowers are legally protected when disclosures are made to prescribed bodies in line with PIDA.

## **10. How the School Will Respond**

Upon receiving a disclosure, the Whistleblowing Officer or Nominated Governor will:

1. Acknowledge receipt within **5 working days**.
2. Conduct an initial assessment to determine if an investigation is required.
3. Decide whether to:
  - a. Manage internally
  - b. Escalate to the Governing Body
  - c. Refer to Birmingham City Council
  - d. Refer to external agencies (e.g., LADO, Police, Ofsted)
4. Carry out or commission an investigation.
5. Provide feedback to the whistleblower (where possible and without breaching confidentiality).
6. Record actions taken and outcomes securely.
7. Report anonymised outcomes to the Governing Body.

## **11. Investigation Process**

11.1 Investigations will be:

- a. Timely
- b. Impartial
- c. Fact-based
- d. Confidential
- e. In line with natural justice and statutory guidance

11.2 The whistleblower may be asked for more information but will not be required to prove the allegation.

## **12. Malicious or Vexatious Allegations**

12.1 The school will distinguish between:

- a. Genuine concerns, even if mistaken
- b. Malicious or deliberately misleading allegations

12.2 Where malicious allegations are identified, disciplinary action may be taken.

### **13. Record Keeping**

13.1 The school will maintain secure records of:

- a. The concern raised
- b. The date of disclosure
- c. Actions taken
- d. Investigation findings and outcome
- e. Any learning or procedural improvements

13.2 Records will be retained in line with the Organisations Retention schedule and UK GDPR requirements.

### **14. Training and Awareness**

- a. Staff will receive regular training on whistleblowing as part of safeguarding, induction, and compliance updates.
- b. This policy will be available on the school website and staff shared area.
- c. Governors will be briefed annually on whistleblowing arrangements.

### **15. Review of Policy**

15.1 This policy will be reviewed every **two years**, or earlier if:

- a. Changes in law occur
- b. DfE, Ofsted, or Birmingham City Council issue updated guidance
- c. Learning from whistleblowing cases identifies improvements

Date Agreed by Chair's Actions: 7.1.2026

Date for Renewal: Spring Term 2028

## Appendix: Contact Summary

Role / Body	Contact / Route
<b>Whistleblowing Officer and Designated Safeguarding Lead.</b>	Interim Executive Headteacher of Perry Beeches and Marsh Hill Nursery Schools: David Aldworth <a href="mailto:d.aldworth@marshiln.bham.sch.uk">d.aldworth@marshiln.bham.sch.uk</a>
<b>Nominated Governor for Whistleblowing</b>	Chair of Governors/Interim Chair of IEB: <a href="mailto:s.delaney@marshiln.bham.sch.uk">s.delaney@marshiln.bham.sch.uk</a>
<b>Birmingham City Council – Democratic Services Team.</b>	0121 303 7602 <a href="mailto:whistleblowing@birmingham.gov.uk">whistleblowing@birmingham.gov.uk</a>
<b>Ofsted</b>	0300 123 3155 <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a>
<b>LADO (Birmingham)</b>	0121 675 1669 <a href="mailto:ladoteam@birminghamchildrenstrust.co.uk">ladoteam@birminghamchildrenstrust.co.uk</a>
<b>Police</b>	101 / 999 (emergencies)