

Whistleblowing Disclosures

1 April 2021 to 31 March 2022

Introduction

The Children's Commissioner is named in the Prescribed Persons Order 2014 as someone to whom whistle-blowers can raise concerns relating to the rights, welfare and interests of children. Whistle-blowing arrangements offer a framework of protection against victimisation or dismissal for workers who blow the whistle on criminal behaviour or other wrongdoing.

The Children's Commissioner's role as a prescribed person is to provide those working with children with a mechanism to make their public interest disclosure to an independent body. The Children's Commissioner is not a regulatory body and does not have enforcement powers, but will consider concerns, ensure they are passed to the responsible bodies and will seek reassurance that the correct processes have been followed.

The Children's Commissioner's office whistle-blowing procedures are consistent with the Public Interest Disclosure Act and have been in place throughout 2020-21.

The office receives whistleblowing disclosures in letters, emails and via our advice helpline (Help at Hand). Sometimes, the information is provided anonymously. The office always discuss anonymity and confidentiality with whistle-blowers and staff never close a case until we are sure that the necessary safeguarding action has been taken.

Sometimes the Children's Commissioner's office is the first organisation that the whistle-blower has raised their concerns with and on other occasions they have raised them many times before and felt no one was listening, and so approach the office as a final resort. The Employment Tribunal may also refer claims to the Children's Commissioner's office when they feel that the Commissioner is the relevant prescribed person.

The Children's Commissioner's office recognises, in accordance with established protocols, that whistleblowing is an important avenue for those with genuine concerns about an organisation and its conduct towards children to raise such concerns so that they can be addressed without that individual being concerned for their employment or position.

The Children's Commissioner office has published [policy and guidance for whistleblowers](#) on their website.

Activity in 2021/22

During 2020/21 the Children's Commissioner's office received seventeen whistle-blowing concerns from a range of sources including employees of children's services, children's homes, and unregulated accommodation.

Many of these concerns were primarily relating to failures in safeguarding procedures. A typical example would be a children's home employee alleging that children in home are not getting adequate supervision to keep them safe and that DBS checks were not carried out on staff. In these cases, the Children's Commissioner's team will make referrals to Ofsted and LADO as the relevant agencies to investigate concerns and will keep the whistle blower updated as appropriate.

Breakdown of disclosures received from 1 April 2020 to 31 March 2021

Service the disclosure relates to	Number of Disclosures Received
Children's Homes	4
Local Authority	3
NHS service	1
School	2
Unregulated setting	5
Early years provider	2
Total	17

Action taken in the reporting period	Number of Disclosures Received
All concerns were sent to the appropriate bodies including the local authority, police and Ofsted	12
Not taken forward: closed through lack of engagement/ information from the whistle-blower or matter already been investigated	5