



**Comisiynydd  
Plant Cymru**

Children's  
Commissioner  
for **Wales**

# Whistleblowing Annual Report 2022/23

Published: September 2023

# Introduction

---

The Children's Commissioner for Wales meets the definition of a 'prescribed person' under the Public Interest Disclosure Act 1998. This Act provides protection for employees who pass on information concerning wrongdoing in certain circumstances. Individuals wishing to blow the whistle can contact the Children's Commissioner about matters relating to the rights, welfare and issues affecting children, young people and those who care for them, in Wales.

This report has been completed in line with the legal requirements of 'The Prescribed Persons (Reports on Disclosures of Information) Regulations 2017'. These regulations set out the reporting requirements for organisations and individuals who are Prescribed Persons for Whistleblowing. The UK Government's Department for Business, Energy and Industrial Strategy's guidance on Whistleblowing for Prescribed Persons (2017) has also been adhered to in drafting this annual report.



# Our powers and priorities

Wales was the first country in the UK to establish an independent children's commissioner, in 2001. The current post holder is Rocio Cifuentes MBE, who began in post in April 2022 and will serve a seven year term in office. Her principal aim is to safeguard and promote the rights and welfare of children.

The Commissioner's statutory powers derive from the Care Standards Act 2000 (as amended by the Children's Commissioner for Wales Act 2001) and Children's Commissioner for Wales Regulations 2001. Further details about the Commissioner's statutory powers can be found [here](#).

In her first year in post, the current Commissioner spent time listening to thousands of children and young people, as well as their families and professionals who work with and for them. A nationwide survey was also launched during 2022/23 to help establish the Commissioner's strategic objectives. In total, 8,830 children and young people responded, 507 professionals and 876 parents and carers. These views have helped inform the Commissioner's [vision, mission and three-year strategy](#) and a detailed analysis of the [survey findings](#) can be found here.



# Whistleblowing disclosures received from 1 April 2022 to 31 March 2023 and actions

In the period 1 April 2022 to 31 March 2023 inclusive, the Children's Commissioner for Wales handled the following:

Number of cases received not deemed as qualifying disclosures	1
Number of cases handled as qualifying disclosures made by workers	3
Number of qualifying disclosures where the Children's Commissioner for Wales decided to take further action	1
Number of qualifying disclosures referred to other bodies that were better placed to investigate the concerns; were already being handled by another prescribed person; or were being handled via appropriate internal processes	2

## Summary of the type of action taken by the prescribed person in respect of qualifying person in respect of qualifying disclosures of information.

We have not included any information in the next section which could lead to the identification of a whistleblower or the subject of the whistleblowing, or compromise the confidentiality of an ongoing investigation.

We received a concern about a local authority practice relating to the recruitment of school-based support staff. Our Investigations and Advice team sought consent from the initial contact to raise concerns with the relevant local authority. Having secured consent, concerns were shared with the local authority's Director of Education. In their response, confirmation was secured of a review of practice, including a reassessment of recruitment practice, and confirmation that current post-holders held appropriate qualifications. The Commissioner's team was satisfied with the response and liaised with the initial contact to confirm outcome of engagement with the local authority.



Comisiynydd  
Plant Cymru

Children's  
Commissioner  
for Wales

# Learning from disclosures

All experiences and evidence gleaned from the Commissioner's Investigations and Advice service, including these disclosures, inform our strategic and annual work plans and provide insight into areas we may want to delve deeper.

The wider team take the issues raised with us into account when we plan our influencing and engagement work with other public bodies in Wales, including the Welsh Government.

The disclosures made to us also aids the Commissioner's ability to perform her statutory functions, in particular her power to make representations to the Welsh Government about any matters affecting the rights and welfare of children; her power to review and monitor how effective are the arrangements for complaints, whistleblowing and advocacy of public bodies; her power to examine cases and the power to review the effect on children of exercise of functions or proposed exercise of functions of defined public bodies including Welsh Government.



**Comisiynydd  
Plant Cymru**

Children's  
Commissioner  
for Wales