



**Comisiynydd
Plant Cymru**

Children's
Commissioner
for **Wales**

The Children's Commissioner for Wales: Whistleblowing Annual Report 2023 - 2024

12th November 2024

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](#).

The Commissioner and her team haven been working hard to review and refine the Advice function in the last year, to further develop the Children's Rights Advice and Assistance Team of the Children's Commissioner for Wales, ensuring the service acts as a source of timely and accurate advice, support and information for children and young people in Wales (and those who care for them) who feel they have been treated unfairly. Under our 3-year strategy, we have four strategic priority areas: mental health, child poverty, education and additional learning needs, and equalities.



Whistleblowing disclosures received from 1 April 2023 to 31 March 2024 and actions

In the period 1 April 2023 to 31 March 2024 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	4
Number of qualifying disclosures where the Children's Commissioner for Wales decided to take further action	3
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	1

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

In relation to the qualifying disclosures received, two of the whistleblowing cases involved practice issues within a local authority. In response, our office promptly engaged with the relevant statutory bodies to address the concerns raised. This proactive approach ensured that the matters were investigated thoroughly, while safeguarding the confidentiality of the whistleblower and any ongoing inquiries. We have not included specific details that could lead to the identification of the whistleblower or the subject of the disclosures, to maintain the integrity of the investigation and uphold our commitment to confidentiality. The other one was related to individual practice, we raised with relevant local authority who agreed to investigate. Again, we maintained the confidentiality of the whistleblower.



Learning from disclosures

The experiences and evidence gathered from the Commissioner's Investigations and Advice service, including the disclosures received, significantly inform our strategic and annual work plans. They provide valuable insights into areas that warrant further exploration.

We prioritised ensuring that current local authority practices are as robust as possible to safeguard children and young people effectively. The issues raised with us are taken into account when planning our influencing and engagement initiatives with public bodies across Wales, including the Welsh Government. This collaborative approach reinforces our commitment to enhancing wider safeguarding arrangements and enables us to scrutinise national safeguarding practices more thoroughly.

Furthermore, the disclosures have prompted us to reflect on our own practices, leading to a commitment to secure face-to-face meetings whenever possible. This change aims to foster (and has delivered) more constructive outcomes in our engagements and discussions.

The disclosures also enhance the Commissioner's ability to fulfil statutory functions, particularly the power to make representations to the Welsh Government regarding matters that affect the rights and welfare of children. They enable the review and monitoring of the effectiveness of arrangements for complaints, whistleblowing, and advocacy within public bodies, as well as the examination of cases and the assessment of the impact on children arising from the functions or proposed functions of defined public bodies, including the Welsh Government.

