# Tribunal highlights challenges of WhatsApp use in professional childcare settings



A recent tribunal ruling has highlighted the complexities and potential pitfalls of using WhatsApp group chats within professional environments, particularly when they involve employees who also share personal relationships. The case involved Barrow Hill Pre-School in St John's Wood, north London, where a WhatsApp group used by staff sparked tensions that culminated in wider organisational upheaval.

The tribunal focused on a conversation between four female employees at the children’s nursery, which it described as a "perfect example" of how mixing work-related communication with social interaction—including jokes and inappropriate language—can blur the boundaries between professional and private lives. This situation became particularly visible in the case of Laura Pagnello, the deputy manager at the nursery.

Ms Pagnello initiated legal action against the pre-school after she was referred to as "witcheypoo" in the WhatsApp group chat. Despite her case being dismissed, the tribunal issued criticism of Barrow Hill Pre-School’s handling of both the communication and broader workplace dynamics. Judge Garry Smart expressed disappointment that what he described as a "simple issue"—the nursery briefly falling short on the required staff-to-child ratio—escalated into a family dispute, police involvement, a questionable referral to local authorities, and ultimately the resignation of every trustee from the nursery's board.

The case revealed that Ms Pagnello had familial ties through marriage to Mandy Rogan, the nursery’s manager. She was also friends and colleagues with two other childcare practitioners, Kelly Shailer and Karen McKenna. These four women were members of a WhatsApp group named the "A-Team," which served as a channel for both work-related and social communications.

A critical incident occurred in June 2023 when Mrs Rogan had to leave the workplace unexpectedly due to a medical emergency. Her absence left the nursery understaffed, with fewer employees present than legally required to supervise the children. Ms Pagnello raised her concerns about this breach of regulations to members of the nursery’s trustees, reportedly doing so in front of parents. This episode is said to have marked a turning point, after which relations among staff deteriorated.

Following the end of the school term in July, tensions were compounded by what the tribunal described as "childish" behaviour: Ms McKenna and Mrs Rogan went on a late "bottomless prosecco" lunch while Ms Shailer went directly on holiday. These actions, alongside the strained communication in the WhatsApp group, contributed to the breakdown of relationships within the team.

The Daily Mail is reporting that this case underscores the challenges of maintaining professional boundaries in workplaces where digital communication tools blur private and professional lines. The tribunal’s comments indicate a need for clearer policies and management of communication channels in work settings, especially in environments involving close-knit teams and sensitive responsibilities like childcare.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

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2. <https://www.davidsonmorris.com/work-whatsapp-group/> - This piece provides advice for employers on managing work-related WhatsApp groups, emphasizing the importance of clear policies to prevent issues like harassment and discrimination.
3. <https://www.buckles-law.co.uk/blog/employment-and-hr/the-use-of-whatsapp/> - This blog post outlines the risks associated with WhatsApp in the workplace, including potential legal consequences and the importance of having a comprehensive workplace policy.
4. <https://hunterlaw.uk/blog/whatsapp-at-work-more-trouble-than-its-worth/> - This article examines the challenges of using WhatsApp for work communication, such as the risk of harassment and misinterpretation of tone, and suggests implementing clear guidelines for acceptable use.
5. <https://dpnetwork.org.uk/managing-employees-whatsapp/> - This resource discusses the data protection concerns and potential legal consequences of employees using WhatsApp for work-related matters, advocating for clear policy guidelines to mitigate risks.
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7. <https://www.dailymail.co.uk/news/article-14661913/beware-perils-using-work-WhatsApp-group.html?ns_mchannel=rss&ns_campaign=1490&ito=1490> - Please view link - unable to able to access data