

Whistleblowing Policy

Leehurst Swan School



Approved by:	 Headmaster  Chair of Governors	Date: 17/09/2021
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1. Aim of Policy

This policy applies to the whole school including the EYFS. The School has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice and failure to comply with legal obligations or unethical conduct. The policy also provides, if necessary, for such concerns to be raised outside the organisation.

This policy aims to:

- encourage staff to feel confident in raising concerns and to question and act upon their concerns about practice
- provide avenues to raise those concerns and receive feedback on any action taken
- ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- reassure staff that they will be protected from possible reprisals or victimisation if they have reasonable belief that they have made any disclosure in good faith.

The school's policy on whistleblowing is intended to demonstrate that the School:

- will not tolerate malpractice, unsafe practice;
- respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as it is consistent with handling the issues effectively;
- will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;

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- will invoke the School's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations;
- will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff;
- will support staff who wish to draw attention to unsafe practice, or safeguarding concerns where another member of staff is behaving inappropriately towards a pupil or potential failures in school safeguarding arrangements.

2. What is Whistleblowing?

Whistleblowing has been defined as: 'the disclosure by an employee or professional of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace, be it of the employee or his/her fellow employees' (Public Concern at Work Guidelines 1997)

3. Procedure

This procedure is separate from the School's adopted procedures regarding grievances. Employees should not use the whistleblowing procedure to raise grievances about their personal employment situation.

This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the School.

Malpractice is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of conduct, criminal activities or failing to comply with a legal obligation, a miscarriage of justice or creating or ignoring a serious risk to health, safety or the environment.

If there is a safeguarding issue the Safeguarding Policy will be followed.

4. How to raise a concern

- Staff members may raise concerns with their immediate line manager, the Head or the Designated Safeguarding Lead (DSL)
- If your concern is about the Headteacher, contact the Chair of Governors via bursar@leehurstswan.org.uk .
- Concerns may be raised verbally or in writing. Staff members who wish to make a written report are asked to provide the background and history of the concern (including relevant dates) and the reason why they are particularly concerned about the situation.
- The earlier the concern is expressed, the easier it is to take action. In order to assist with investigation, staff members should provide as much detail and supporting evidence as possible.

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- A member of staff is not expected to prove that an allegation is true, only to have sufficient grounds for concern.
- While concerns will usually be raised internally, the school recognises that employees may feel unable to do this, and that they may wish to contact an independent, external organisation such as the NSPCC Whistleblowing helpline hotline on; (0800 028 0285, 8am - 8pm Mon - Fri, Email; help@nspcc.org.uk) or the Wiltshire Safeguarding LADO.
- A third option for employees who wish to raise concerns is to contact the Public Concerns at Work helpline 020 7404 6609. This helpline offers independent and confidential advice to workers who are unsure whether or how to raise a public interest concern.

5. How the school will respond

The school will investigate and respond to all concerns raised by staff members.

While it is not essential that the concerns be provided in writing, the person receiving the concern, will ensure that a written account of it is made. This will help with the subsequent investigation by facilitating clear record keeping.

When a concern is raised directly with the school, we will undertake the following actions:

- Take the concern seriously
- Consider the concerns fully and objectively
- Recognise that raising a concern can be a difficult experience for employees
- Ensure confidentiality

6. Confidentiality

The policy applies to all school employees whether full-time or part-time, permanent or temporary; members of the school staff and those carrying out work for the school on school premises, for example agency workers, contractors, consultants. It also covers providers of works, services and supplies, including the school's external contractors and those providing services under a contract with the school in their own premises.

Employees who wish to raise a concern under this procedure are entitled to have the matter treated confidentially and their name will not be disclosed to the alleged perpetrator of malpractice without their prior approval. It may be appropriate to preserve confidentiality that concerns are raised orally rather than in writing, although members of

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staff are encouraged to express their concern in writing wherever possible. The person listening to the concerns should make notes of the meeting and these should be agreed, signed and dated by themselves and the person raising the concern.

7. The Investigation

A member of staff will be at liberty to express their concern to either the Head or the DSL. It should be made clear that a wrongdoing is being reported and that action is needed. If a member of staff has a concern regarding the Head, they should approach the Chair of Governors.

Any concern raised will be investigated thoroughly. The investigation will commence within one week and appropriate corrective action will be pursued. The member of staff making the allegation will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the resolution.

A member of staff who is not satisfied that their concern is being properly dealt with will have the right to raise it, in confidence and informally, with any school governor either by telephone, letter or other form of communication. While it is not acceptable for staff to go to the media, external whistleblowing channels are open to staff where a staff member feels unable to raise an issue with their employer or feels that their concerns are not being addressed, for example:

- Wiltshire County Council: 01225 718020
- NSPCC whistleblowing helpline: 0800 028 0285
- Other (ISI, ISA, IAPS)

General guidance can be found at www.gov.uk: Whistleblowing for employees

8. External Procedures

It should be noted that, under the Public Interest Disclosure Act 1998, there are circumstances where a member of staff may be entitled to raise a concern directly with an external body where the employee reasonably believes:

- That exceptionally serious circumstances justify it;
- That the School would conceal or destroy the relevant evidence;
- Where they believe that they would be victimised by the School;
- Where the Secretary of State has ordered it.

9. Malicious Accusations

False, malicious, vexatious or frivolous accusations will be dealt with under the School's Disciplinary Procedure.

10. Protection from Reprisal or Victimisation

The school is committed to good practice and high standards and wants to be supportive of employees. It is recognised that the decision to report a concern can be a difficult one to make. If a member of staff has a reasonable belief that what they are saying is true, they have nothing to fear because they will be doing their duty to their employer and/or those for whom they provide a service.

The school will take a zero-tolerance approach to any act of harassment or victimisation (including informal pressures). The school will take appropriate action to protect staff when they raise a concern, by supporting the member of staff and consider action under the appropriate procedure (for example disciplinary) against the person or persons responsible for the reported acts, provided the member of staff:

- Discloses the information in good faith
- Believes the concern is true
- Does not act maliciously or make false allegations
- Does not seek any personal gain, and
- Provided the allegations relate to one of the categories covered by the scope of the policy and referred to above.

There are national guidelines to help you as a whistle blower. You can find out more on the protection of whistle blowers from the [Information Commissioner's Office \(ICO\)](#)