

Whistleblowing Policy

This policy has been written for...	All staff and students at West Heath School
Copies of this policy may be obtained from...	<ul style="list-style-type: none"> • The School web site - http://www.westheathschool.com
This policy links with the following policies	This policy should be read in conjunction with the Child Protection Policy, Anti-Bullying Policy, Complaints, Concerns, Suggestions, Compliments Policy
Participants and consultees in the formulation of this policy were...	Vice Principal - Care and Safeguarding, Student Services Committee and the Trustees of the School
Edition, Review frequency and dates	<p>This is edition 8 released November 2020. It is due for review November 2022</p> <p>This policy will be reviewed every 2 years</p>
Relevant statutory guidance, circulars, legislation & other sources of information are...	<ul style="list-style-type: none"> • Public Interest Disclosure Act 1998 • Section 157 of the Education Act 2002 • Children Acts 1989 and 2004 and related guidance • Safeguarding Children and Safer Recruitment in Education (2007) • The Framework for the Assessment of Children in Need and their Families • Working Together to Safeguard Children (2010). • What To Do If You're Worried a Child is being Abused (2006) • Code of Conduct & Guidance for Safer Working Practice for those working with Children and Young People at West Heath School • Keeping Children Safe in Education September 2020
The Lead Member of staff is	Vice Principal - Care and Safeguarding
Definitions and key terms used in this policy...	Whistleblowing - the mechanism by which adults can voice their concerns, made in good faith, without fear of repercussion
The Rationale and Purpose of this policy	This policy is designed to inform all parties of their right and their responsibility to report any issues of concern they believe might compromise the welfare and or safety of students or staff
Appendices	This policy does not have appendices

Copying

No school policy is ever written in isolation. Acknowledgement of sources of advice and significant influence in the development and recording of policies at West Heath School are noted on the front page. We request that any schools or organisations incorporating large sections of this policy without alteration should make similar appropriate acknowledgement.

1. Introduction

West Heath School is dedicated to providing the utmost care for their students and staff. We aim to ensure that all members of the school community feel safe in the knowledge that they can voice any concerns in confidence and that they will be taken seriously and dealt with appropriately.

Staff who are concerned about the conduct of a colleague towards a student are undoubtedly placed in a very difficult position. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career. All staff must remember that the welfare of the child is paramount. This policy enables staff to raise concerns or allegations in confidence and for a sensitive enquiry to take place.

West Heath School takes responsibility for ensuring that all staff are aware of the Whistleblowing policy and procedures and made to feel comfortable that they can voice their concerns no matter what the circumstances.

For Parents, Carers, Guardians

West Heath Staff – Conduct

1. You can expect staff to conduct themselves in a professional manner at all times
2. Staff are not permitted to contact a student on their mobile phone
3. Staff are not permitted to contact student beyond the school day or during holiday periods
4. Staff are not permitted to contact student via any form of social media

Exceptions to items 2,3,& 4 can only be given by the Principal and with agreement with Parents and Guardians

The school is affiliated to the Kent Safeguarding Children Board. It complies with the exacting practices and procedures designed to ensure that children and young people remain free of harm. It also protects them from abuses of power and authority by the staff who work with them. As such, all staff have a duty to and must report any matter where the rights, safety or well-being of any student may be compromised.

The school also has a policy regarding staff who may have concerns about the practices of their colleagues, whether or not a Child Protection matter is involved. The policy is set in the context of a working culture which encourages personal and professional development.

Staff meetings, line management meetings, mentoring/supervision sessions, Work Review meetings and other formal and informal meetings between staff and their line managers are forums in which initial concerns may be discussed. All questions, comments and observations regarding staff practice are taken with positive intent.

2. Definition of 'Whistleblowing' The Aim of this policy..

Whistleblowing inside the workplace is defined as the reporting by workers or ex-workers of wrongdoing, such as fraud, malpractice, mismanagement, breach of health and safety law, or any other illegal or unethical act either on the part of management, the governing body or fellow employees. Workers may include volunteers, contractors and outside agencies or others.

To provide staff with clear guidance on their right and responsibility to report any matters they believe compromise the safety and or welfare of students or staff

To reassure staff that they will be listened to and not disadvantaged should they report a matter of concern

To make clear that all staff are subject to this policy

3. Reporting concerns to the school The Objective of this policy..

If you have a concern about another member of staff you should report it to a member of the school leadership team, the designated person for safeguarding, or the Principal. Complaints about the Principal should be reported to the Chair of Trustees, Student Services, Trustee for Safeguarding.

All concerns will be listened to and taken seriously by the school. If you are in any doubt as to whether a concern is valid, you should report it to any one of the School's DSLs and the school can decide to what extent it needs to be investigated.

"Safer Working Practice" is an Agenda item for every school meeting, this is an opportunity for staff to voice and share any concerns in respect of safeguarding.

To assist in the provision of a safe and happy working and learning environment where good practice can be recognised and celebrated and poor practise challenged, changed or stopped.

4. Wider disclosure Procedures & Practices

We encourage all our staff to follow the internal procedures outlined in this policy, but understand that in some cases you may feel it is necessary to take your concerns to external agencies. This should, however, be done only as a last resort. Staff should only approach external agencies regarding their concerns without discussing them internally first if:

- they feel that they are being discriminated against and that there is no internal authority that can be contacted with trust
- they reasonably believe that they will be victimised if they follow internal procedures for whistleblowing
- they believe that the concern that they have raised has not been taken seriously or acted upon correctly

We urge staff who take their concerns to external agencies to be careful not to disclose any confidential information. Information that is confidential and should therefore not be disclosed should be **outlined in your contract of employment**. Note: it is against the law to publish any information which may lead to the identification of a teacher who is subject to an allegation.

The authorities that may be of help to you are:

- *Children's Social Care Services*
- *Police*
- *NSPCC*
- *Health & Safety Executive*
- *Audit Commission*
- *Local Citizens Advice Bureau*
- *Relevant professional bodies or regulatory organisations*
- *Department for Education*
- *Ofsted*

If for any reason an individual member of staff feels unable to raise their concerns at a formal meeting, they should approach a senior member of staff. They should raise their concerns which will be discussed sensitively and resolved accordingly. No

practice in this regard will compromise the policy and guidance featured in our Child Protection and Staff Disciplinary and Grievance Policies and Procedures.

In exceptional circumstances, if a member of staff feels unable to use any of the above courses of action, they may contact our Principal in the first instance. Should this not be possible, they may contact the Chair of Student Services Committee or Link Trustee for Child Protection for advice and guidance.

If dissatisfied with the response from any of these courses of action, the member of staff concerned may pursue the complaints and representations procedure, contacting our Chairman of Trustees accordingly.

Finally, staff may contact;

Kent - The Local Authority Designated Officer (LADO) Team

Office: 03000 410888

5. Confidentiality

Persons with particular responsibilities

All concerns will be treated in confidence, and the school is committed to protecting the identity of whistleblowers as far as is possible. However, in some circumstances it may not be possible to do this, for example: if it will prevent a thorough investigation taking place; if there is reason to reveal the name by law; if the whistleblower has to give evidence at any hearings.

In cases where identities are revealed for whatever reason, the school will do its best to support all parties involved and protect them from discrimination and victimisation.

Confidentiality is a priority throughout any investigation, and continues to be once the investigation is over, and we urge staff to closely follow all guidelines relating to confidentiality. Any member of staff that has acted knowingly against this, or revealed confidential information unnecessarily or for vicious reasons, may face prosecution.

Principal
Student Services Chair
Designated Safeguarding Lead/Deputy DSLs

6. Anonymous allegations

Other Participants & Stakeholders

We would encourage staff to put their name to concerns made as it will aid a more thorough investigation. However, the school will investigate all anonymous allegations seriously; following the proceedings outlined in this policy as far as is possible.

7. False allegations Monitoring & Evaluation

West Heath School encourages all staff to voice their concerns and allegations safe in the knowledge that those who make allegations in good faith that do not prove to be true will not be reprimanded.

The school may take disciplinary action against staff who make claims that are found to be knowingly false, malicious, or for personal gain.

SLT
Student Services Committee
Trustees

8. Responding to a concern

The school will investigate all allegations and concerns but the act of investigation does not indicate that the school has accepted the allegations as true.

Usually, the first course of action will be one of the following:

- an investigation by managers, internal audit, or through the disciplinary process
- an investigation under other procedures such as child/adult protection
- an investigation under procedures designed to deal with allegations made against professionals
- a referral to the police
- a referral to the external auditor or other external investigation
- an investigation under other forms of prosecution and inspection such as the protection of public health and safety
- a referral to an independent investigator.

Any concerns that fall under specific procedures will be followed up as described in their specific policy, e.g., child protection and safeguarding issues will be followed up as described in the school's child protection and safeguarding policy.

9. Whistleblowing procedures

9.1 The role of the whistleblower

Concerns will usually be dealt with in this way:

1. Staff will raise their concern with their manager, either in person or in writing. If their manager is the subject of the concern, they should go straight to the Principal. Staff will be dealt with in confidence and invited to an interview to discuss the allegation. Staff can go straight to the chair of governors with their concern, but they will be asked to explain why they did not feel comfortable taking it to a member of their leadership team.
2. The member of the leadership team that has heard the concern will decide upon the next course of action. If they decide that it is a genuine concern, and that it is appropriate to follow the whistleblowing procedure, they may take the matter to the Principal or the chair of the Trustee body.
3. If there is any reason that the member of staff making the complaint or raising the concern feels that they are unable to speak to any member of the school or the Trustee body, they should contact The Local Authority Designated Officer (LADO) Team.

9.2 Role of the leadership team

Hold an interview

Once an allegation has been brought to their attention, the senior staff member, Principal or chair of Trustees will hold an interview with the person making the allegation, in confidence. This will take place immediately if there is concern that a child is at risk of harm, or within *5 working days* if this is not the case. During this interview they will:

- get as much information about the basis of the allegation as they can, and will record what is discussed
- discuss the next action points and steps that will be taken with the staff member who has raised the allegation, and ensure that they fully understand what is going to happen; if the standard whistleblowing procedure is not going to be followed, this should be explained and an alternative procedure outlined
- provide support to the whistleblower; they may be worried about their position, getting someone else into trouble, or what they suspect may be happening.

Staff may want to seek the support of their trade union when going through whistleblowing procedures. Staff are allowed to take a representative from their trade union and or a work colleague to their interview and subsequent meetings.

Decide on a course of action

If there is cause for concern once the interview has been carried out, the leading member of staff will take the information that they have recorded to the Principal (or chair of Trustees if the Principal is of concern).

If it is decided that no further action will be taken this will be explained to the whistleblower within 14 working days. This may be because:

- the leadership member does not feel that there is enough evidence to warrant a continued investigation and that is unlikely that any malpractice has occurred or will occur
- there is a belief that the whistleblower is not acting in good faith
- the matter has already been raised and is being investigated.

The Principal, if not already involved, will be informed of the concern even if no further action is to be taken.

9.3 Role of the Principal and Trustees/governing body

The person who receives the report – whether it is the Principal or Trustee body – must act on the concern fully. If there is a good reason not to, this will be explained at the next governing body meeting and reported back to the whistleblower.

The Principal or Chair of Trustees will decide whether any external authorities need to be reported to on the matter, or whether it is a case for internal investigation.

The decision and progress of the case will be reported back to the leadership member involved, and this will be reported by them to the whistleblower.

The outcomes of any investigation will be reported to the whistleblower in writing to their home address within 5 working days. If they do not receive any information and this time has passed, they may appeal for information through their manager or *[relevant external authorities]*.

10. Recording monitoring evaluation

All staff concerned and involved with any allegation or investigation should keep good records of meetings they attend, discussions that are held, and any outcomes or action points that have been decided.

The Principal and/or Trustee body will review and evaluate all allegations, how they have been dealt with, and their outcomes, to prevent similar future cases, and ensure that procedures are being used correctly and are effective.

This policy will be reviewed annually and any relevant cases that have come up during the past year will be taken into account when it is being reviewed.

11. Outcomes

If the whistleblower is dissatisfied and feels that an allegation that they have made has not been dealt with seriously or properly, they can take the matter up with The Principal/Deputy and Trustees. All school leaders will try their best to deal with allegations fairly and effectively.

This policy is designed to help staff with any whistleblowing concerns and procedures, but the school understands that some staff may wish to get advice from independent external agencies

12. Independent advice

Support Line
01732 526910
Supportline@kent.gov.uk
www.staffcareservice.co.uk

NSPCC Whistleblowing Helpline
(Commissioned by The Home Office & DfE)
0800 028 0285

13. Contact details

Principal
Interim Deputy Principal
Vice Principal Curriculum & Learning
Vice Principal Care & Safeguarding

Mr Jim Nunns
Mrs Photini Bohacek Interim
Mr David Perridge
Ms Julie Goodyear