

## Whistleblowing Policy

### **Intent:**

This policy aims to:

- Create an environment where practices can be challenged to ensure the safest environment for students and staff.
- Protect staff raising concerns.
- Protect staff from malicious unfounded concerns.

As identified in 'Working Together to Protect Children (July 2018)', to have 'clear whistle blowing procedures' which reflect Sir Robert Francis' freedom to speak up review. This review and policy highlight:

- The importance to listen to staff.
- Staff raising concerns often know when things are not working.
- The importance that staff can raise concerns, whether to a line manager or another person outside the line manager.

To use Public Interest Disclosure Act 1998 to guide the school in managing such instances.

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### **1 - Implementation**

Staff whistleblowing are raising concerns of wrongdoing. Staff may have concerns which may put a child at risk, decisions that are being made for 'personal gain' or illegal activities (e.g. fraud).

This may include:

- Risks putting people in danger.
- Damage to environment.
- Covering up wrongdoing.
- Misuse of school finance.
- Actions putting child welfare at risk.

- Lack of action regarding safeguarding (please refer to safeguarding)

Staff should raise concern early (when there is reasonable suspicion) not wait for investigation. If staff have such concerns they need to consider if they can raise the concern to:

- Line manager.
- Head of School (DSL) staff allegations.
- DDSL – safeguarding
- Directors

As identified in the Safeguarding Policy and following updates of KCSIE 2021

Staff can raise concerns or an allegation relating to the conduct of staff behaviour, including volunteer staff, contracted and supply staff. Such concerns could include those that:

- behave in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behave towards a child or children in a way that indicates he or she may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children. This includes the review where a member of staff or volunteer is involved in an incident outside of school which did not involve children but could have an impact on their suitability to work with children. For example, a member of staff is involved in domestic violence at home. No children were involved, but the schools need to consider what triggered these actions and could a child in the school trigger the same reaction, therefore being put at risk, assessing the Transferrable Risk.

Staff may have concerns that are considered 'low-level', it is important that these are not seen to be insignificant as any concern is a concern, no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt'. Such concerns could include an adult:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work
- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating, or offensive language

Concerns should be raised directly with the Head of School unless the concern is regarding this person, in this case concerns should be raised with the Directors. Historic allegations will be referred to the police.

When reporting you must:

- Keep the matter confidential.
- Do not alert the person you are concerned about as this could compromise any future investigation.
- Follow procedures but you have a duty to ensure matters are taken forward and can contact the Allegation Managers yourself.

If Staff do not feel they can report the concern internally, staff can contact external services including:

Leicestershire County Council Allegations Officer (LADO)	Telephone: 0116 305 7597
Leicester City Council Allegations Officer (LADO)	Telephone: 0116 454 2419
HSE	Telephone: 0300 003 1647 Monday to Friday from 8.30am to 5pm Wednesdays 10am to 5pm
Department of Education	<a href="https://www.gov.uk/contact-dfe">https://www.gov.uk/contact-dfe</a> DfE helpline Telephone: 0370 000 2288 Monday to Friday, 9am to 5pm
OFSTED	Email <a href="mailto:enquiries@ofsted.gov.uk">enquiries@ofsted.gov.uk</a> Telephone: 0300 123 1231
NSPCC	Email: <a href="mailto:help@nspcc.org.uk">help@nspcc.org.uk</a> Telephone: 0808 028 0285
Public Concern at Work	<a href="http://www.pcaw.org.uk">www.pcaw.org.uk</a> or telephone 020 3117 2520

Staff raising concerns should feel free of reprisal, unless found to be malicious.

## **2 - Internal Response**

On receipt of the concern the allocated manager will complete preliminary investigation. To assess facts. This initial assessment may identify the need to work collaboratively with agencies such as Allegation Officer.

All records will be kept throughout investigation. The findings will aim to provide developmental targets. May include disciplinary action or referral to third party such as police.

The whistle blower will be informed of the outcome of the investigation and action taken.

If the whistle blower is dissatisfied with the conduct of the investigation and action taken, they can raise the concern to one of the bodies identified above

### **3 - Malicious or Unfounded Concern**

If malicious/unfounded concerns intending to create mischief will be taken seriously and disciplinary action taken.

### **4 - Confidentiality**

Reasonable steps will be taken to protect the staff member, who has raised the concerns, anonymity, this can be requested by the individual. Where the information must be shared with a 3<sup>rd</sup> party agency this should be disclosed to the reporting staff.

Staff who have reported the concern to an external agency are protected through the Public Interest Disclosure Act 1998. This sets out that an employee would be 'unfairly dismissed' if based on a protected disclosure.

Staff should not be treated any differently especially to the 'detriment' of the individual after making a concern known. This would include being treated less favourably or overlooked for development or promotion.

### **5 - Impact**

In the event of managing whistleblowing it will be important for the School's management team to:

- Reflect on the statements made
- Ensure matters of concern, where founded, are acted upon accordingly
- Where appropriate allocated leaders have set action plans to be completed in a timely manner
- Use such scenarios as an opportunity to recognise staff have followed procedure and that through appropriate challenge of systems the best environment for all to succeed can be created

<b>Related Policies:</b>
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Safeguarding Policy, Behaviour Policy, Health and Safety Policy
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<b>Policy owned by:</b>
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<b>Name:</b> Sachin Dogra ( <i>Head of School</i> )
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<b>Signature:</b>
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<b>Revision Control:</b>			
Revision Number	Page Number/s	Revision explanation	Date of change
1		Complete review of previous policy 01/09/17	02/03/20
2		Added area linked to KCSIE 2020 regarding staff behaviour S. Dogra	01/12/20
3		Updated KCSIE 2021 and added area regarding 'low-level' concerns	February 22

<b>Approved Sign off:</b>			
Sign needed by:	Name	Signed	Date
Proprietor	Gemma Thompson		09/02/22

**Review Date:** February 2022