

Whistleblowing Policy

Introduction

We are committed to conducting our duties with honesty and integrity, and we expect all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring, or to address them when they do occur.

Employees may be the first to realise that there may be something seriously wrong within the School. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School. They may also fear harassment or victimisation. The School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment the School expects employees and others with serious concerns about any aspect of its work to come forward and voice those concerns. The intention of this Policy is to enable staff to report concerns without fear of reprisals.

Scope

All employees, both permanent and temporary, trainees, agency workers, contractors and their staff are within the scope of this Policy. References to 'employees' or 'staff' in this document should be read as including all of the above.

Policy Statement

What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity;
- inappropriate or suspicious conduct;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal or regulatory requirements;
- the deliberate concealment of any of the above matters.

A whistleblower is a person who raises a genuine concern in good faith relating to any of the above. If an employee has any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (i.e., a whistleblowing concern) they should report it under this policy.

This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Procedure.



Protection and Support for Whistleblowers

The School recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those who may be guilty of malpractice or from the School as a whole. The School will not tolerate any harassment or victimisation, including informal pressures, and will take appropriate action in order to protect a person who raises a concern in good faith.

The Public Interest Disclosure Act 1998 (PIDA) gives legal protection to a whistleblower, provided that the whistleblower has an honest and reasonable suspicion that the malpractice has occurred, is occurring, or is likely to occur and that the information and/or allegations are substantially true.

The School will protect the identity of any member of staff who raises a concern and does not want his/her name to be disclosed. However, it must be appreciated that, following an investigation, a statement by the person reporting the concern may be required to enable appropriate action to be taken. If this is unacceptable to the employee raising the concern, in some cases it may not be possible to progress the issue further. Concerns expressed anonymously will be considered. If, however, insufficient information is available the following factors will be taken into account in determining whether or not to progress the matter further:

- The seriousness of the issues raised;
- The credibility of the concern; and the likelihood of obtaining the necessary information.

Anonymity should not be used to facilitate false or malicious allegations. A person who reports a concern in good faith, even if it proves to be unfounded following investigation, should be reassured that they will not suffer as a result of reporting their concern.

Employees must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an employee believes that they have suffered any such treatment, they should inform the Head immediately (or the Chair of Governors if the matter relates to the Head). If the matter is not remedied an employee may raise it formally using the School's Grievance Procedure.

Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

Malicious Allegations

The School will take no action to protect its employees and itself from false or maliciously reported concerns. If the School has good reason to believe that the concern is deliberately made falsely or maliciously it may decide that this is an act of misconduct and that disciplinary action should be taken. The School will try to ensure that the negative impact of either a malicious or unfounded allegation is minimised.



CONFIDENTIAL REPORTING PROCEDURE

The most appropriate person to contact will depend on the personnel involved in the concern and the nature of the issues involved. The range of possible contact points is:

Internally

Staff who are concerned about the conduct of a colleague or safeguarding practice within the school are undoubtedly placed in a very difficult situation.

All staff must remember that the welfare of the child is paramount and staff should feel able to report all concerns, no matter how small, about a colleague or the safeguarding practice within the school. The school's whistleblowing code enables staff to raise concerns or allegations in confidence and for a sensitive enquiry to take place.

Safeguarding Concerns

In accordance with the School's Safeguarding Policy and the statutory guidance in *Keeping Children Safe in Education* (2023), if a member of staff has any concern however low-level about a colleague other than the Head regarding the safeguarding of children, this must be referred to the Head immediately; if the concern relates to the Head this must be referred to the Chair of Governors. Such safeguarding concerns may be about:

- the conduct of a member of staff (or any other adult working or volunteering within the School) relating to a pupil
- the approach taken to safeguarding in general by the leadership and management and/or the DSL team
- the approach taken to safeguarding on a specific case by the DSL team

Members of staff may also contact the local children's services or other external agencies directly.

The NSPCC whistleblowing line also provides guidance on how to deal with safeguarding concerns about colleagues or about safeguarding practice in the school: 0800 028 0285.

All concerns will be recorded.

Externally

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases employees should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for an employee to report concerns to an external body such as a regulator. The School strongly encourage employees to seek advice before reporting a concern externally. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.



Their contact details are:

Public Concern at Work

(Independent whistleblowing charity)

Helpline: (020) 7404 6609

E-mail: whistle@pcaw.co.uk

Website: www.pcaw.co.uk

Raising a Concern

Concerns may be raised verbally or in writing. Employees are asked to provide the following information:

- The specific concern;
- The reason(s) for the concern;
- The background and history to the concern, including any relevant dates;
- If the concern has already been raised with anyone else, if so, with whom;
- Why they remain concerned.

Although employees are not expected to prove beyond doubt the truth of an allegation, it will be necessary to demonstrate to the person contacted that there are sufficient grounds for real concerns. Concerns should be reported as soon as possible, as the earlier a concern is made known, the better the opportunity for the School to take appropriate action.

Responding to a Concern

The action taken by the School will depend on the nature of the concern. Where appropriate, the matters raised may:

- be investigated by the appropriate member of the School's management team or Governing Body;
- be referred to the Police;
- form the subject of an independent inquiry.

In order to protect individuals and the School, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations, which fall within the scope of specific procedures (for example, Child Protection or Safeguarding issues), will normally be referred for consideration under those procedures.

It should be noted that some concerns might be resolved by agreed action without the need for investigation. The School will write to the person raising the concern within ten working days (in term time) of a concern being raised:

- Acknowledging that the concern has been received;
- Indicating how the School proposes to deal with the matter;
- Giving an estimate as to how long it will take to provide a final response. If it is impossible for initial enquiries to be completed within ten working days, the situation will be explained in the letter of acknowledgement;
- Where a decision is made that no investigation will take place, the reasons for this will be provided.

The School would normally aim to resolve the matter within twenty-eight days (within term time) of the complaint being lodged.

Where further information is required from the employee, a meeting will be arranged and employees will have the right, if they wish, to be accompanied by a Trade Union or colleague.



At the request of the individual raising the concern, any meeting may be held away from the workplace and/or outside working hours if appropriate.

The School accepts that employees raising a concern need to be assured that the matter has been properly addressed. Subject to legal constraints, the person raising the concern will receive as much information as possible about the outcome of any investigation.

If The Employee Is Not Satisfied

The School cannot always guarantee the outcome the employee may be seeking. However, we will try to deal with a concern fairly and in an appropriate way.

The School is fully committed to ensuring that the application of this policy is non-discriminatory in line with the UK Equality Act (2010). Further details are available in the School's Equal Opportunity Policy document.



SILCOATES

Reviewed by:	Mr Wainman – Head Mr Vincent – Bursar Mrs Lee – Chair of Governors		
Date of last review:	April 2023	Date of next review:	April 2024

