



WHISTLEBLOWING POLICY

Member of staff responsible: Clare King
Last reviewed: 12th November 2019

Headmistress:

A handwritten signature in black ink, consisting of a large, stylized letter 'a' followed by a long, horizontal, slightly wavy line extending to the right.

STANDARD 3: THE WELFARE, HEALTH AND SAFETY OF PUPILS

STANDARD 4: THE SUITABILITY OF STAFF, SUPPLY STAFF AND PROPRIETORS

STANDARD 7: THE MANNER IN WHICH COMPLAINTS ARE HANDLED

Westbury House School already has in place detailed policies for Safeguarding and staff conduct, they make clear that employees should report any impropriety or breach of procedure that they encounter while at work. However, this does not give a detailed framework for what is now commonly termed 'whistleblowing' by employees.

The procedure considers the requirements of the law, specifically the Public Interest Disclosure Act. The Act gives employees two safeguards in respect of disclosures of information. Firstly, an employee is entitled not to be subjected to any detriment by virtue of having made a protected disclosure. Secondly, if an employee is dismissed because of having made such a disclosure, the dismissal will automatically be unfair, and further, there will be no need for the employee to have a year's continuous employment before bringing a claim for unfair dismissal.

Introduction

Employees are often the first to realise that there may be something seriously wrong within the workplace. 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. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The school governors are committed to the highest possible standards of openness, integrity and accountability. In line with that commitment, we expect employees who have serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This Code makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This confidential reporting policy is intended to encourage and enable employees to raise concerns within the school rather than overlooking a problem, or 'blowing the whistle' outside.

This policy applies to all employees at the school.

1. Aims and Scope of this policy

This policy aims to:

- Encourage you to feel confident and safe in raising serious concerns and to question and act upon concerns about practice
- Provide avenues for you to raise these concerns and receive feedback on any action taken
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith

There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The confidential reporting policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- Conduct, which is an offence or a breach of law
- Poor or unsafe practice such as potential failures in the school's Safeguarding regime
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- The unauthorised use of public funds
- Possible fraud and corruption
- Sexual or physical abuse or
- Other unethical conduct

Thus, any serious concerns that you have about any aspect of service provision or the conduct of employees or governors or others acting on behalf of the school can be reported under the confidential reporting policy. This may be something that:

- Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the school subscribes to
- Is against the school's standing orders, financial regulations, contracts code or other policies
- Falls below established standards of practice
- Amounts to improper conduct

2. Safeguards – Harassment or Victimisation

The Governing body are committed to good practice and high standards and want to be supportive to employees.

The Governing body recognise that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

The Governing body will not tolerate any harassment or victimisation, including informal pressures, and will take appropriate action to protect you when you raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any other disciplinary or redundancy procedures that already affect you.

3. Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

4. Untrue Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. However, if you make an allegation that can be shown to have been made frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

5. How to raise a concern

As a first step, you should normally raise concerns with your immediate manager or the Headteacher. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved, you should approach the Chair of Governors. As the responsible officer, the Chair of Governors will be informed of each concern that is raised under the procedure. If the Chair of Governors is suspected of the malpractice, the Governor in charge of Safeguarding, Michelle Fennelly, should be approached.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- The background and history of the concern (giving relevant dates)
- The reason why you are particularly concerned about the situation

The earlier you express your concerns the easier it is to take action. Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concerns.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two or more of you who have had the same experience or concerns. You may invite a 'friend' who is a work colleague of your choice to be present during any meetings or interviews in connection with the concerns you have raised.

The NSPCC whistleblowing helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their school or college. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk

6. How your concerns will be dealt with

Your concerns will receive a response from the Headteacher or Chair of Governors (if the complaint is regarding the Head Teacher). Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

Where appropriate, the matters raised may:

- Be investigated by management or through the disciplinary process
- Be referred to the police
- Be referred to the external auditor
- Form the subject of an independent inquiry

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and if so, what form it should take. The overriding principle, which the Chair of Governors will have in mind, is the public interest. Concerns or allegations that fall within the scope of specific procedures (for example,

child protection or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. Some concerns may be resolved through mediation or dispute resolution.

If urgent action is required, this will be taken before any investigation is conducted.

Within ten working days of a concern being raised, the Headteacher or Chair of Governors will write to you:

- Acknowledging that a concern has been raised
- Indicating how the matter will be dealt with
- Giving an estimate of how long will take to provide a final response
- Telling you whether any initial enquiries have been made
- Supplying you with information on staff support mechanisms and
- Telling you whether further investigations will take place, and if not, why not.

The amount of contact between the individuals considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, further information will be sought from you.

Where any meeting is arranged, offsite if you so wish, you can be accompanied by a 'friend' who is a work colleague of your choice.

The governing body will take steps to minimise any difficulties that you may experience as a result of raising a concern. If you are required to give evidence in criminal or disciplinary proceedings, the school will arrange for you to receive advice about the procedure. The governing body accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will be informed of the outcome of any investigation.

7. The responsible officer

The Chair of Governors with delegated responsibility to **Michelle Fennelly (Operations Director)** has overall responsibility for the maintenance and operation of this policy. The Operations Director maintains a record of concerns raised and the outcomes, but in a form, which does not endanger your confidentiality.

The contact details for the Operations Director are Michelle@inspiredlearninggroup.co.uk