

Newland House School



Whistleblowing policy

This Policy applies to all sections of the school including the Early Years Foundation Stage.

Updated:	September 2020
Updated by:	HR & Compliance Manager
Authorised by:	Chris Skelton, Head Governing body

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Contents		
1	Introduction	Page 3
2	Aims	Page 3
3	Scope	Page 3
4	Whistleblowing	Page 3
5	Whistleblower	Page 4
6	Grievances	Page 4
7	Detriment	Page 4
8	Safeguarding	Page 4
9	Exit interviews	Page 5
10	Confidentiality	Page 5
11	Procedure	Page 5
12	Relevant external reporting	Page 6
13	Advice	Page 6
14	The Media	Page 7
15	Further information	Page 7

1. Introduction

1.1 The School is committed to conducting its business with honesty and integrity, and we expect all staff to maintain high standards in accordance with the Code of conduct policy. 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 and to address them when they do occur

2. Aims.

2.1 The aims of this policy are to:

- encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected
- provide staff with guidance as to how to raise those concerns and
- reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

3. Scope

3.1 This policy covers all employees, officers, governors, consultants, contractors, volunteers, work placement students, casual workers and agency workers.

Wrongdoing at work

4. Whistleblowing

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

- criminal activity
- safeguarding concerns (see paragraph 9 below)
- failure to comply with any legal [or professional] obligation or regulatory requirements
- miscarriages of justice
- danger to health and safety
- damage to the environment
- bribery
- financial fraud or mismanagement
- other unlawful or unethical conduct in the workplace
- the deliberate concealment of any of the above matters.

5. Whistleblower

- 5.1 A whistleblower is a person who raises a genuine concern relating to **any** of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy.

6. Grievances

- 6.1 This procedure should not be used where you have a complaint relating to your personal circumstances in the workplace. The grievance procedure contained in the Staff Handbook should be used in such cases.

7. Detriment

- 7.1 Provided that this procedure is used appropriately and correctly, you will not suffer any detriment as a result of reporting a suspected wrongdoing. A failure to follow this procedure may however make the disclosure unreasonable and the protection given to you by this procedure may be lost.
- 7.2 False, malicious, vexatious or frivolous accusations will be dealt with under the School's Disciplinary Procedure.

8. Safeguarding

- 8.1 Nothing within this policy is intended to prevent staff from complying with their statutory obligations in accordance with ***Keeping Children Safe in Education (DfE, September 2020)***. In particular:
- Safeguarding and child protection policy: You should raise any initial safeguarding concerns about a child with the DSL in accordance with the School's Safeguarding and child protection policy.
 - Safeguarding - member of staff: You should raise any concerns about another staff member with the Head, or if the concern is about the Head, with the Chair of Governors (without first notifying the Head) in accordance with the Safeguarding and child protection policy.
 - Whistleblowing policy: You should follow this procedure to raise concerns about poor or unsafe safeguarding practices at the School or potential failures by the School or staff to properly safeguard the welfare of pupils if you are concerned that the School's Safeguarding and child protection policy are not being followed correctly.
 - Referral: If a child is in immediate danger or is at risk of harm a referral should be made to Children's Social Care and/or the Police immediately. Anyone can make a referral.

9. Exit interviews

- 9.1 All staff are trained so that they understand they are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment in accordance with this policy. Safeguarding children is at the centre of the School's culture and concerns should always be raised in accordance with paragraph 9 above.
- 9.2 If issues have not been identified before, safeguarding will always be considered formally during staff performance development reviews and appraisal and finally at exit interviews which are offered to all leavers. Staff who raise concerns about working practices at the School to the DSL or an appropriate senior member of staff will be protected from detriment under this policy.

10. Confidentiality

- 10.1 We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.
- 10.2 If there is evidence of criminal activity, then the Police will in all cases be informed.

Anonymous disclosures

- 10.3 We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible.

11. Procedure

- 11.1 Staff are encouraged to express their concern in writing wherever possible.

Stage one

- 11.2 You should disclose the suspected wrongdoing first to Head.
- 11.3 You can expect a response detailing to whom the disclosure has been notified or/and whether any action has been taken within **seven** days of the Head becoming aware of the disclosure. In the event that the Head is involved in the suspected wrongdoing, you should proceed directly to Stage two.

Stage two

11.4 If no response is forthcoming after seven days from the Head, or if you are not satisfied with the way in which your concern has been handled, or if the Head is involved in the suspected wrongdoing you should inform the Chair of Governors of the disclosure.

12. Relevant external reporting

12.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. The law recognises, as does paragraph 9 above, that in some circumstances it may be appropriate for you to report your concerns to a relevant outside body including:

- the local authority's Designated Officer
- Children's Social Care
- the NSPCC
- the Health and Safety Executive
- the Environment Agency
- the Information Commissioner
- the Department for Education
- the Department for Business, Innovation and Skills
- the Police
- the Charity Commission
- the Independent Schools Inspectorate or
- the Office for Standards in Education, Children's Services and Skills (Ofsted) or
- the Channel Police Practitioner.

13. Advice

13.1 Staff are strongly encouraged to seek advice before reporting a concern to anyone external. In most cases, you should not find it necessary to alert anyone external but before you do, as well as considering the internal help and support available which is identified above, please seek external advice from:

- **Public Concern at Work:** If you have any concerns about disclosing a suspected wrongdoing the independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. Staff can call 020 3117 2520 for advice.
- **NSPCC:** The NSPCC whistleblowing helpline is also available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0808 800 5000 (8.00 am to 8.00 pm Monday to Friday) or email help@nspcc.org.uk.

13.2 If you are uncertain whether something is within the scope of this policy you should seek advice from the Head or the HR and Compliance Manager, DSL, Public Concern at Work or the NSPCC Whistleblowing helpline.

14. The media

14.1 You should under no circumstances approach a commercial body or the media with details of the suspected wrongdoing. If you approach any such body and / or where your concern is disclosed in a malicious manner or for personal gain, this may make the disclosure unreasonable and the protection given to you by this procedure may be lost.

14.2 Additionally, the School may consider this to be gross misconduct and disciplinary action may be taken against you.

15. Further information

15.1 If you have any queries about this procedure, you should contact the Head or the HR and Compliance Manager.

15.2 This policy will be reviewed every academic year unless changes to legislation, statutory guidance or good practice dictates.