



FOREST BRIDGE SCHOOL

Whistleblowing Policy 2022

Introduction

The Governors and Headteacher are committed to delivering a high quality education service to pupils and expect high standards from their staff and contractors. In order to maintain these high standards a culture of openness and accountability is vitally important. The aims of this policy are threefold: -

- to encourage staff to raise concerns about malpractice within the School without fear of reprisal
- to reassure staff that concerns will be taken seriously
- to provide information about how to raise concerns and explain how the Governors may respond.

Scope of the Policy

This policy applies to all School employees, agency staff, contractors and volunteers engaged by the School. There is a separate procedure for pupils and parents to raise concerns about school related issues.

What is whistleblowing?

In practical terms, whistleblowing occurs when a concern is raised about danger or illegality that affects others. As the person blowing the whistle you will not necessarily be directly affected by the danger or illegality. Consequently, you will not necessarily have a personal interest in the outcome of any investigation into your concerns. This is different from a complaint or grievance. If you make a complaint or lodge a grievance, you are saying that you personally have been poorly treated. This poor treatment could involve a breach of your individual employment rights or bullying and you are entitled to seek redress for yourself.

Blowing the Whistle on Malpractice

Malpractice covers a wide range of concerns. The types of activity that should be disclosed include but are not limited to the following: -

- the physical, emotional or sexual abuse of pupils or staff
- unauthorised use of School funds and/or financial maladministration
- fraud and corruption
- failure to comply with legal obligations
- endangering of an individual's health and safety

- damage to the environment
- a criminal offence
- failure to follow financial and contract procedure rules
- showing undue favour to a contractor or a job applicant
- miscarriages of justice
- deliberate concealment of information relating to any of the above
- concerns about the professional practice or competence of colleagues, other members of staff or other workers

Staff should raise their concerns with the Headteacher, or another member of the Senior Leadership Team. The earlier a concern is raised the easier it will be to take action. You the whistleblower are a witness to events not the investigator. You do not need to wait for compelling evidence of malpractice before raising concerns but you must have reasonable grounds for your suspicion.

When reporting a concern, you should provide as much information and detail as possible. In particular, you should provide the full names of the people involved or who know about what is happening, including the names of those involved, dates of events and any relevant documentation. This will help the investigator to focus on the main issues quickly.

There will be some cases where it is not appropriate for you to raise concerns with your Headteacher/Manager, for example where you suspect your Headteacher/Manager already knows about the malpractice or where you suspect your Headteacher/Manager may be involved. In those cases, you should report your concerns to the Governors.

Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. You will be advised whether an investigation takes place or not. When making a decision the Headteacher will consider whether continuing with an investigation is in the public interest.

Advice and Support

The School recognises that staff may wish to seek advice and support from their professional association or trade union before blowing the whistle and you are strongly advised to do so. Employees may also wish to seek advice from Protect, a whistleblowing charity which is entirely separate from the School. Protect has lawyers who provide confidential advice, free of charge, to people concerned about wrongdoing at work. They can be contacted by telephone on 020 3117 2520 or email via their website <https://protect-advice.org.uk/contact-protect-advice-line/>.

Whistleblowers who consider that they have been victimised as a result of whistleblowing should make a formal complaint to their employer (Governing Body) immediately giving details of the way in which they believe they have been subject to detriment and their reasons for thinking that the detriment might be connected with their disclosure. You may also choose to raise the matter with:

- Professional Association/Trade Union
- Councillor
- Member of Parliament
- Legal Adviser

It is the responsibility of your employer to ensure that you are not victimised as a result of whistleblowing.

Confidentiality

The School understands that you may be reluctant to come forward with information about the wrongdoing of a colleague or manager or indeed at all. As such, the School recognises that whistleblowers may wish to raise concerns in confidence. If you (the whistleblower) make a request for the matter to be kept confidential then your identity will not be revealed without discussing the matter with you first.

Anonymous Allegations

It is recognised that the purpose of a whistleblowing policy is to allow people to make protected disclosure with the protection being against any reprisals or victimisation for disclosures made honestly and in good faith. It is very difficult for some people to come forward and make a disclosure and the prospect of having to identify yourself can make the action of whistleblowing all the more daunting. You are encouraged to give your name when raising concerns. A concern expressed anonymously is much less powerful and is often more difficult to investigate and can lack credibility. The decision whether to investigate an anonymous allegation will be made by the Headteacher and/ or the Chair of Governors. When making this decision they will take into account the seriousness of the issues raised, the credibility of what is being said and the likelihood of confirming the allegation from other sources.

Protection for the Whistleblower

All concerns raised under this procedure will be treated seriously and a decision made about whether or not an investigation is appropriate. Depending upon the nature of the matter it may be referred to the external auditor or the police. The person to whom you reported your concern will be responsible for keeping you informed about the progress of the investigation and the action, which has been taken, although you may not be told the outcome. In some cases, the investigation may result in criminal or disciplinary proceedings. If this happens you may be invited to give a written statement or give evidence at a hearing. The Headteacher and Governors will support you in this process and ensure that you are clear about what will happen.

Whistleblowing child protection or safeguarding concerns

All staff and volunteers in our school must comply with 'Keeping children safe in education' 2022, which includes taking action to protect a child who may be at risk of harm or in need of services, and to make appropriate referrals to children's social care. Any member of staff should press for re-consideration if they believe a child is not being safeguarded. Safeguarding issues raised by a whistleblower will be handled in line with our child protection procedures.

Concerns about a child

In the first instance, the person with the concern should discuss this with the Designated Safeguarding Lead – action may already have been taken and/or the designated staff may have sought confidential advice from partner agencies such as children's social care or the police. If the individual is not satisfied with the outcome of this discussion, they should report their concerns to the Headteacher or a deputy DSL.

If the individual still has concerns about the safety or welfare of the child, they should contact at least one of the following:

- Designated safeguarding governor
- Chair of Governors
- RBWM safeguarding adviser for education (Clive? Add contact details)

If the child is in danger or at immediate risk of harm, anyone can make a referral to children's social care [insert LA name & relevant contact numbers here]. The Designated Safeguarding Lead should be informed as soon as possible that a referral has been made.

Concerns about a colleague / adult in school

This relates to concerns that a member of staff, volunteer or other adult in school may have harmed a child/ren or behaved in a way that suggests they may be unsuitable to work with children. In line with the Trust 'managing allegations against staff' policy, anyone who has concerns about the behaviour of another adult in school should report this to the Headteacher in the first instance, unless the concern relates to the Headteacher.

If the allegation or concern relates to the Headteacher - or there is reason to believe that the Headteacher is not taking the appropriate action / the individual does not believe their concerns are being taken seriously - they should contact at least one of the following:-

- The Chair of Governors
- The Local Authority Designated Officer [insert name & contact details]
- If the incident or concern is so serious as to warrant a police investigation, or a child has been placed at immediate risk of harm, the police

Any professional with concerns about child protection or safeguarding can also contact the NSPCC whistleblowing helpline on 0800 028 0285

Allegations not made in the public interest

Concerns that are raised frivolously, maliciously, or where they are known to be untrue may result in disciplinary action or, in the case of agency staff, the termination of the agency contract. In the case of contractors, the matter will be reported to the Council's relevant Contract Manager so that a decision can be made about the appropriate action to take.

Blowing the Whistle outside the School

In certain circumstances it may be appropriate to raise concerns outside the School to the appropriate 'prescribed regulator'. This should only be done where you are raising a genuine concern in the public interest and where you believe the information is true, i.e. more than just suspicion. You are advised to discuss your concerns with a legal advisor, professional association, trade union or PCAW (see above) before reporting them outside the School.

Examples of prescribed regulators are set out below:

- Ofsted (whistleblowing helpline): 0300 123 3155 or whistleblowing@ofsted.gov.uk
- The Audit Commission: 0303 444 8300
- Information Commissioner : 0303 123 1113
- Environment Agency: 03708 506 506
- Health and Safety Executive : 0300 0031 647
- Charity Commission : whistleblowing@charitycommission.gov.uk

As a last resort and provided it is appropriate in all the circumstances, you may be choose to raise your concern outside the School to someone other than prescribed regulator e.g. the police or your MP. Provided the disclosure is reasonable in all the circumstances and is not made for personal gain, the preconditions are that you:

- Reasonably believed that you would be victimised if you raised the matter initially within the School
- Reasonably believed that the matter would be "covered up" if you raised the matter internally within the School or the Council and there is no prescribed regulator or
- You have already raised the matter internally or with a prescribed regulator.

Useful links

Protect (<https://protect-advice.org.uk/contact-protect-advice-line/> or 020 3117 2520) is a charity that provides support to employees that are considering – or need advice on – whistleblowing.

The NSPCC (0800 028 0285) can offer advice and support to professionals considering whistleblowing in relation to an organisation's child protection or safeguarding arrangements

Individuals that are members of a Trade Union / other professional body may also be able to get advice and support in relation to whistleblowing from that organisation.

Reviews and Operation of this Policy

The policy will be reviewed every three years.