



Dream Believe Achieve

Whistle Blowing Policy

Signed by Chair of Governors

Kerry Scott

Date ratified by Governors

07/12/2022

Date to be reviewed by Governors

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Whistle Blowing Policy

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Introduction

This guidance is written for staff working with children and young people within Belmont Park School in conjunction with and advice for LBWF safeguarding in education team. Staff at Belmont Park must acknowledge their individual responsibility to bring matters of concern to the attention of senior management and or relevant agencies. Although this can be difficult this is particularly important where the welfare of children may be at risk.

1. You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feeling, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young person who is targeted. These children need someone like you to safeguard their welfare.
2. **Don't think "what if I'm wrong" – think " what if I'm right"**
3. Absolutely without fail – Challenge poor practice or performance. If you ignore or collude with poor practice it makes it harder to sound the alarm when things go wrong" (reproduced with acknowledgement to "Sounding the Alarm" – Barnardos)
4. This procedure should only be used where all other existing internal procedures are felt to be inappropriate or when a member of staff, for whatever reason, feels inhibited in going through the normal line management.

Aims of Policy

- 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;
- To provide staff with guidance as to how to raise those concerns;
- To reassure staff that they should be able to raise genuine concern in good faith without fear of reprisals, even if they turn out to be a mistaken.

This policy take account of the Whistleblowing arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.

This Policy reflects the schools current practices and applies to all individuals working at all levels of organisations, including the Governors, Headteacher, members of the Senior Leadership Team, employees, consultants, contractors, trainees, part-time and fixed-term workers, casual and agency staff (collectively referred to as "Staff" in this policy) who are advised to familiarise themselves with its content.

What is Whistleblowing?

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

This may include:

- Criminal activity;
- Child protection and/or safeguarding concerns;* See note at the end of this policy
- Miscarriages of justice;
- Danger to health and safety;
- Damage to the environment;
- Failure to comply with any legal or professional obligation or regulatory requirements;
- Financial fraud or mismanagement;
- Negligence;
- Breach of the schools internal policies and procedures including its Code of Conduct;
- Conduct likely to damage the school's reputation;
- Unauthorised disclosure of confidential information;
- 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 you have any genuine concerns related to suspected wrongdoing or danger affecting any of the schools activities (a whistleblowing concern) you should report it under this policy.

This policy should not be used for complainants relating to staffs own personal circumstances, such as the way you have been treated at work. In those cases you should follow the Grievance Policy and Procedure.

If staff are uncertain whether something is within the scope of this policy they should seek the advice of the Designated Governor.

Raising a whistleblowing concern

You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feeling, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young person who is targeted. These children need someone like you to safeguard their welfare.

The school expects that in many cases staff will be able to raise any concerns with their Line Manager, speaking to them in person or putting the matter in writing if they prefer, they may be able to agree a way of resolving a concern quickly and effectively. In some cases they may refer the matter to the Governing Body.

However, where the matter is more serious, or you feel that your Line manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- **The safeguarding Link Governor or the Chair of Governors**
- **The Lead for safeguarding and Inclusion**
- **The Local Authority Designated Officer (LADO)**

The Headteacher will arrange a meeting with the 'whistleblower' as soon as practicable to discuss their concern. They will record sufficient details to enable the matter to be thoroughly investigated. As a minimum the Headteacher will record the name of the employee but also indicate whether the individual wishes his or her identity to remain confidential, if possible and the nature of the concern. In some cases it will not be possible to maintain confidentiality and the Headteacher should explain this to the employee. In such instances the employee will have the choice of either withdrawing or agreeing to his/her identity becoming known to enable the concern to be effectively dealt with.

Staff may bring a colleague or trade union representative to any meeting under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

The school will take notes and produce a written summary of the concern raised and provide the 'whistleblower' with a copy as soon as practicable after the meeting. The school will also aim to give the 'whistleblower' an indication of how it proposes to deal with the matter.

- Concerns about The Headteacher should be reported to the Chair of Governors
- Concerns about The Lead for Safeguarding and Inclusion should be reported to the Chair of Governors
- Concerns about a Governor should be reported to the Chair of Governors
- Concerns about the Chair of Governors should be reported to the LADO
- Safeguarding concerns about members of staff should be reported to the Headteacher and/or Lead for Safeguarding and Inclusion, who will reports to the Chair of Governors and LADO
- Staff can also report concerns directly to LADO.

Safeguarding

If the concerns relates to safeguarding or child protection, the 'whistleblower' can and should follow the chain noted above and additionally contact the LADO for advice.

Confidentiality

The school hopes that Staff will feel able to voice whistleblowing concerns openly under this policy. However, if a member of staff wants to raise his or her concern confidentially, the school will endeavour to keep his or her identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of staffs concern o know the 'whistleblowers' identity, the school will discuss this with the member of staff first.

The school dose not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the school cannot obtain further information. It is also more difficult to establish whether any allegations are credible and have been made in good faith. 'Whistleblowers' who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measure can then be taken to preserve confidentiality.

If an individual misuses the policy and procedure e.g. by making malicious or repeated unsubstantiated complaints against colleagues this could give rise to action under the schools Disciplinary Procedure. If the Headteacher knows or has a suspicion that an employee comes into this category then s/he will take advice from the Designated Governor who will help to determine what action should be taken.

If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Public Concern at Work (Independent Whistleblowing Charity)

Helpline: 0207 404 6609 Email: Whistle@pcaw.co.uk Website: www.pcaw.co.uk

Concerns against Governors

If a concern against a Governor is received then this will be treated in the same way as any other concern. It will receive the same serious consideration. The concern will be raised by the Headteacher with the Chair of Governors who will decide how it should be dealt with. If the concern is against the Chair of Governors then this process cannot be followed. In such circumstances, the concern will be taken directly to the **Local Authority Designated Officer (LADO)**.

Investigation and outcome

Once a member of Staff has raised a concern, the School will carry out an initial assessment to determine the scope of any investigation. The school will inform the 'whistleblower' of the outcome of its assessment. The member of staff raising the concern may be required to attend additional meetings in order to provide further information.

In some cases the School may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the School to minimise the risk of future wrongdoing.

The School will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the School from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

If the school concludes that a 'whistleblower' has made a false allegations maliciously, in bad faith or with a view to personal gain, the 'whistleblower' will be subject to disciplinary action under the Schools Disciplinary Policy and Procedure. Whilst the School cannot always guarantee the outcome a particular member of staff is seeking, the school will try to deal with the concern fairly and in an appropriate way. If a member of staff is not happy with the way in which his or her concern has been handled, he or she can raise it with one of the other key contacts outlined above.

Any member of staff raising a concern under the procedure will be kept informed of progress by the Headteacher, including, where appropriate, the final outcome. However, in certain circumstances, e.g. where disciplinary action under the Schools Disciplinary Procedure has resulted from the concern, it may not be appropriate to provide specific details due to the confidentiality and sensitivity of such matters.

Protection and support for ‘whistleblowers’

Staff must not suffer any detrimental treatment as a result of raising concern in good faith. Detrimental treatment would include dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that he or she has suffered any such treatment he or she should inform the Headteacher immediately. If the matter is not remedied the member of staff should raise it formally using the School’s Grievance Policy and Procedure.

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

All staff are responsible for the success of the policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on the policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Headteacher in the first instance.

Reasons for whistle blowing:

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour.
- To prevent the problem worsening or widening.
- To protect or reduce risks to others.
- To prevent becoming implicated yourself.

What stops people from whistle blowing

- Starting a chain of events which spirals.
- Disrupting the work or project.
- Fear of getting it wrong.
- Fear of repercussions or damaging careers.
- Fear of not being believed.

How to raise a concern:

You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern expressed the easier and sooner action can be taken:

- Try to pinpoint exactly what practice is concerning you and why.
- Approach your immediate manager or the Lead for Safeguarding and Inclusion.
- If your concern is about your immediate manager/head teacher, speak to the Safeguarding and Inclusion Lead, Safeguarding Link Governor or Chair of Governors, or if you feel you need to take it to someone outside the school, contact the Education Safeguarding Service or LADO.
- Make sure you get a satisfactory response – don’t let matters rest.
- You should then put your concerns in writing, outlining the background and history, giving names, dates and places where you can.
- A member of staff is not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

- Do not report your concern in hearing distance of visitors or members of outside agencies.

What happens next?

You should be given information on the nature and progress of any enquiries. Your employer has a responsibility to protect you from harassment or victimisation.

No action will be taken against you if the concern proves to be unfounded and was raised in good faith.

Self reporting

There may be occasions where a member of staff has a personal difficulty, or perhaps a physical or mental health problems, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most situation, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

Further advice and support

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your line manager, HR department and/or your professional trade union. **If you feel unable to someone within the school you should contact one of the following:**

Belmont Park Safeguarding Link Governor - Lillian Gerber –

Lillian.Gerber@belmontpark.waltham.sch.uk

The Chair of Governors – Kerry Scott – school@belmontpark.waltham.sch.uk