

## WHISTLEBLOWING POLICY

THIS POLICY INCLUDES THE EARLY YEARS FOUNDATION STAGE

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### 1. POLICY AIMS:

Pennthorpe School aims to ensure a culture of safety and in which concerns can be raised and where staff feel comfortable to discuss matters outside of work which may have implications for the safeguarding of children. All concerns are handled with transparency. It values and nurtures staff and encourages reflective practice and accountability.

This policy:

- Outlines procedures for reporting and handling concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, child protection, miscarriages of justice, and failure to comply with legal obligations, inappropriate behaviour or unethical conduct.
- Provides for mediation and dispute resolution and, if necessary, for concerns to be raised outside the organisation.
- Includes information on training for staff.

### 2. ELEMENTS OF THE POLICY:

In accordance with Lord Nolan's Second Report of the Committee on Standards in Public Life, the School's policy on whistleblowing is intended to demonstrate that the school:

- Will not tolerate malpractice.
- Encourages staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated, as appropriate.
- Respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively.
- Will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate.
- Will only invoke the School's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations. The policy seeks to reassure staff that they can raise genuine concerns without fear of reprisal, even if they turn out to be mistaken.

- Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.
- Will demonstrate fair play, even handedness and a fair hearing by peers

### 3. SCOPE OF THIS POLICY:

This procedure is separate from the School's adopted procedures regarding grievances. Employees should not use the whistleblowing procedure to raise concerns relating to their own personal circumstances such as the way they have been treated at work. In those cases, the school's grievance procedure should be used, as appropriate.

This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the School.

Malpractice is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment. (negligence)

A whistleblower is a person who raises a genuine concern relating to suspected malpractice within the School. If you have any genuine concerns related to suspected malpractice affecting any of the School's activities (a whistleblowing concern) you should report it under this procedure.

If staff and volunteers feel unable to raise an issue with the School or feel that their genuine concerns are not being addressed, they may report their concerns to other whistleblowing channels, such as:

- Protect, an independent whistleblowing charity, previously known as Public Concern at Work (helpline: 020 3117 2502, email: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk), website: [www.protect-advice.org.uk](http://www.protect-advice.org.uk)).
- The NSPCC whistleblowing helpline (tel: 0800 028 0285 or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)).

### 4. CONFIDENTIALITY:

Staff should feel able to voice whistleblowing concerns openly under this procedure. However, if staff wish to raise a concern confidentially, the school will make every effort to keep their identity secret. If it is necessary for anyone investigating the concern to know the staff members identity, this will be discussed with the member of staff first.

If there is evidence of criminal activity, then the Police will in all cases be informed.

The school does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the school cannot obtain further information from staff. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should discuss this with the Head and appropriate measures can then be taken to preserve confidentiality. If staff are in any doubt they

can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are set out above.

## 5. RAISING A WHISTLEBLOWING CONCERN:

We hope that in many cases, you will be able to raise any concerns with your line manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Head.

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 are at liberty to raise a whistleblowing concern to the Head or Deputy Head. If you feel unable to approach the Head or the Deputy Head directly, then the Chair of Governors should be the first point of contact.

A meeting will be arranged with staff as soon as possible to discuss their concern. The staff member may bring a colleague or union representative to any meetings under this procedure. The companion must respect the confidentiality of the disclosure and any subsequent investigation. Staff may be required to attend additional meetings in order to provide further information as the concerns raised are investigated.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. Staff will be kept informed of the progress of the investigation and its likely timescale. Whenever possible and subject to third party rights, you will be informed of the resolution. However, sometimes the need for confidentiality may prevent the school giving staff specific details of the investigation or any disciplinary action taken as a result. Staff should treat any information about the investigation as confidential.

If staff are not satisfied that their concern is being properly dealt with the staff member will have a right to raise it in confidence with the Governing Body. Alternatively, you can follow the external procedure below.

## 6. EXTERNAL PROCEDURES:

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrong doing in school. In most cases, you should not find it necessary to alert anyone externally.

It will very rarely, if ever, be appropriate for you to alert the media.

It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a member of staff may be entitled to raise a concern directly with an external body where the employee reasonably believes that:

- Exceptionally serious circumstances justify it.
- The School would conceal or destroy the relevant evidence.
- They believe they would be victimised by the School.
- The Secretary of State has ordered it.

We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

## 7. MALICIOUS ACCUSATIONS:

False, malicious, vexatious or frivolous accusations will be dealt with under the School's Disciplinary Procedure.

## 8. PROTECTION FROM REPRISAL OR VICTIMISATION:

It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns, under this policy, even if they turn out to be mistaken.

No member of the staff will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and following the Whistleblowing procedures. If you believe that you have suffered any such treatment, you should inform the Head immediately. If the matter is not remedied, you may raise it formally using the school's grievance procedure.

You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct, you may be subject to disciplinary procedures.

## 9. POLICY LINKS:

- Safeguarding and Child Protection
- Staff Code of Conduct
- Staff Use of Mobile Devices