

Dinglewell Junior School
Whistle Blowing Policy
Written by: Helen Howe, 2018
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Whistle Blowing Policy

Dinglewell Junior School is committed to safeguarding and promoting the welfare of children and young people and expects all staff to share this commitment.

"We have carefully considered & analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the public sector equality duty requirement to have due regard to the need to eliminate discrimination, advance equality or opportunity and foster good relations."

Introduction

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

- 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 school and governors may respond

Policy Scope

This policy applies to all school employees, volunteers, agency staff and staff contracted to work in school. Concerns from parents and pupils should fall under the school's complaints procedure or, if regarding an allegation of abuse or neglect against a member of staff, under the school's Allegations Management Policy with the school's Safeguarding Policy.

Definition of Whistleblowing

Whistleblowing occurs when a concern is raised regarding something dangerous or illegal that affects other people. The whistleblower, may not necessarily be directly affected by the danger or illegality and so may not have a personal interest. This is not the same as a complaint where the complainant is usually personally affected and so can seek reasonable redress.

Blowing the Whistle

Whistleblowing may be for 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
- failure to report data breaches
- 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
- lack of safer recruitment
- 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 Head Teacher, Deputy Head Teacher or Line Manager. 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 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 knew about what is happening, including the names of those involved, dates or 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 Head Teacher/Line Manager, for example where you suspect that your Head Teacher/Line Manager already knows about the malpractice or where you suspect your Head Teacher/Line Manager may be involved. In those cases, you should report your concerns to the Chair of Governors or in the case of an allegation of abuse or neglect of a child by a member of staff, you can raise it directly with the Local Authority Designated Office (LADO) 01452 426994. 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.

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, but a concern regarding the safety of a child should never be delayed.

Whistleblowers who consider that they have been victimised as a result of whistleblowing should make a formal complaint to their employer 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 Advisor

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 such information about wrongdoing of a colleague or manager or indeed at all. As such, 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 disclosures 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 difficult. 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 Head Teacher and/or Chair of Governors. If it is an allegation of abuse or neglect, it will be passed to the Local Authority Designated Officer (LADO) for advice. 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, the LADO 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 Head Teacher and Governors will support you in this process and ensure that you are clear about what will happen.

Allegations not made in the public interest

Concerns that are raised 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 Contract Manager, so that a decision can be made about the appropriate action to take.

Blowing the Whistle outside the School

Sometimes it may be appropriate to raise concerns outside the school. 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 or trade union before reporting them outside school.

Examples of external regulators you may wish to contact are:

- Ofsted: 0300 123 3155 or whistleblowing@ofsted.gov.uk
- National Audit Office: 020 7798 7999

- Information Commissioner's Office: 0303 123 1113
- Environment Agency: 03708 506 506
- Health and Safety Executive: 0300 0031 647

You may also choose to raise the matter directly with the Local Authority Designated Officer, if the matter concerns a potential safeguarding/child protection issues. Please remember that in cases of abuse or neglect of a child, if you fail to report a concern and it later comes to light that you were aware of information which could have protected a child, it is possible that disciplinary action could be taken against you under Section 175 of the Education Act 2002.

