



Whistle Blowing Policy

Date	Review Date	Headmistress	Proprietor
February 2023	February 2026	Mrs Eilish Sleator	Mr Brian Berkery

This Policy forms part of a set of documents and policies, which relate to the safeguarding responsibilities of the school including the Staff Code of Conduct and the Safeguarding and Child Protection Policy and Procedures.

Introduction

Whistleblowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussion. Staff should acknowledge their individual responsibilities to bring matters of concern to the attention of the Headmistress or her Deputy and report any behaviour by colleagues that raise concern. This is particularly important where the welfare of children may be at risk.

A “whistleblower” is someone who discovers something that is wrong and alerts his employer or the relevant authorities to what is going on. The law protects whistleblowers from their employer subjecting them to detriment or dismissal by reason of their having “blown the whistle” and from detrimental treatment by their colleagues. There are procedures for reporting and handling concerns, provision for mediation and dispute resolution where necessary.

The staff of Broadhurst School seek to run all aspects of School business and activities with full regard to the highest standards of conduct and integrity, in a culture of safety and raising concerns where staff are valued and encouraged to be reflective. It is important to the school that any misconduct, wrongdoing, fraud or poor or unsafe practice and potential failures in the School’s safeguarding regime, by the staff of the School is reported and properly dealt with. If members of School staff, agency workers and contractors, parents, or the School community at large become aware of activities which give cause for concern, the procedure in this policy should be followed to allow concerns to be raised confidentially. Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge that they will be taken seriously. The School therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the School or the way in which school business is run.

This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Where a staff member feels unable to raise an issue with their employer or feels that their genuine concerns are not being addressed, other whistleblowing channels are available may be open to them.

If you think that a child is in immediate danger, call the Police on 999 or NSPCC on 0800 800 5000

General guidance can be found at <https://www.gov.uk/whistleblowing>

The **NSPCC whistleblowing helpline Tel: 0800 800 5000 is available from 8:00am-8:00pm, Monday to Friday and by email: help@nspcc.org.uk**).

The **Ofsted whistle-blowing line on 0300 123 3155**

Please refer to the Complaints Policy for further details. Information on when to and how to report concerns are disseminated through new staff induction and basic safeguarding training.

The Headmistress is responsible for ensuring that these numbers are advertised on the school premises and made available to staff and pupils.

The provisions of this policy apply to matters of suspected fraud and impropriety and not of more general matters which would be dealt with under the School Grievance Procedure in the Employee Handbook. The policy is also not designed to allow questioning of financial or business decisions taken by the School nor may it be used to reconsider any matters, which have already been addressed under complaint or disciplinary procedures.

Background

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'. A qualifying disclosure is one made in good faith by an employee who has a reasonable belief that:

- a criminal offence
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- a breach of any other legal obligation
- concealment of any of the above is being, has been, or is likely to be, committed. It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The employee has no responsibility for investigating the matter - it is the School's responsibility to ensure that an investigation takes place

An employee who makes such a protected disclosure has the right not to be dismissed or subjected to victimisation because he/she has made the disclosure.

The School encourages employees to raise their concerns under this procedure in the first instance. If an employee is not sure whether to raise a concern, he/she should discuss the issue with the Headmistress or the Proprietor.

Principles

- everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Employees should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of
- any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the colleague who raised the issue
- no employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the employee will not be prejudiced because he/she has raised a legitimate concern
- victimisation of an employee for raising a qualified disclosure will be a disciplinary offence
- if misconduct is discovered as a result of any investigation under this procedure the School's disciplinary procedure will be used, in addition to any appropriate external measures
- maliciously making a false allegation or raising unfounded concerns will be taken seriously and may constitute a disciplinary offence
- an instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, employees should not agree to remain silent. They should report the matter to the Headmistress or her Deputy

Examples of illegal and/ or improper conduct

- unlawful conduct
- miscarriages of justice in the conduct of statutory or other processes
- failure to comply with a statutory or legal obligation
- potential maladministration, misconduct or malpractice
- health and safety issues including risks to the public as well as risks to pupils and members of staff
- action that has caused or is likely to cause danger to the environment.
- abuse of authority
- unauthorised use of public or other funds
- fraud or corruption
- breaches of financial regulations or policies
- mistreatment of any person
- action that has caused or is likely to cause physical danger to any person or risk serious damage to school property
- unfair discrimination or favouritism
- racist incidents or acts, or racial harassment
- any attempt to prevent disclosure of any of the issues listed

Child protection concerns

All employees and volunteers are expected to report any safeguarding and child protection concerns to the Designated Safeguarding Lead, the Deputy Headmistress Mrs Hannah Roberts, as stated in the safeguarding policy. Such concerns may relate to:

- the physical, sexual, emotional abuse or neglect of a child
- an inappropriate or improper relationship between an adult and a pupil

Anonymous allegations

Allegations can be made anonymously. However, this policy encourages you to put your name to your allegation, as concerns expressed anonymously are often much more difficult to investigate. For example, we may need to contact you to obtain further information or verify the details you have already given us. Anonymous allegations will be considered wherever possible at the discretion of the school. The factors to be taken into account when determining whether an investigation in such a case can proceed would include:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from other, attributable sources

Harassment or victimisation

The School recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal. We will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. However, should you feel that you have suffered harassment, either directly or indirectly as a result of raising a concern, you should refer to the school's Anti-Bullying policy and Code Of Conduct.

Confidentiality

All concerns raised will be treated in confidence and every effort will be made not to reveal the identity of a whistleblower. However, in certain cases, it may not be possible to maintain confidentiality, if a whistleblower is required to come forward as a witness.

Unsubstantiated allegations

If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action is likely to be taken.

Procedure

This procedure is for disclosure about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the School's Grievance Procedure set out in the Employee Handbook.

Any concerns over suspected wrongdoing (disclosure) should initially be raised with the employee's Headmistress or her Deputy.

If the employee believes the Headmistress or her Deputy to be involved in the wrongdoing, or for any reason does not wish to approach them, then the employee should notify the Proprietor directly.

Any approach to the Headmistress or her Deputy will be treated with the strictest confidence and the employee's identity will not be disclosed without his/her prior consent.

The investigation may involve the employee and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The employee's statement will be taken into account, and he/she will be asked to comment on any additional evidence obtained.

If the person appointed by the Headmistress or her Deputy needs to talk to the employee, or any other member of staff, they are permitted to be accompanied by a trade union or professional association representative or a fellow member of staff not involved in the area of work to which the concern relates.

The person, Headmistress or her Deputy carrying out the investigation will then take any necessary action, including reporting the matter to any appropriate government department or regulatory agency.

If appropriate, the matter will be brought to the attention of the Local Authority appointed person dealing with complaints about financial management of schools.

If appropriate, for concerns of criminal behavior, the matter may be referred to the Police.

If appropriate, for concerns of child protection, the matter may be referred to the Local Authority officer designated to lead on child protection/local authority social services designated manager for child protection

The whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

If disciplinary action is required, the Headmistress or her Deputy will be informed and the disciplinary procedure followed.

On conclusion of any investigation, the employee will be told the outcome of the investigation and what the Headmistress or her Deputy have done, or propose to do, about it. If no action is to be taken, the reason for this decision will be explained.

A response detailing who has been notified of the disclosure and any action taken will be given within 7 days of the Headmistress or her Deputy being made aware of the disclosure.

If the employee is concerned that the Deputy or Proprietor (excluding the Headmistress) is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the

outcome of the investigations, he/she should inform the Headmistress, who will arrange to review the investigation.

Any approach to the Headmistress will be treated with the strictest confidence and the employee's identity will not be disclosed without his/her prior consent.

Conclusion

If the employee is concerned that the Headmistress is involved of wrongdoing or has failed to make a proper investigation, he/she should inform the Proprietor or if they feel they cannot express their concerns within the school, it is open to them to raise their concerns with someone outside the school such as:

- Designated Officer (previously known as LADO) if the matter is about child protection or safeguarding issues
- Police
- Health & Safety Executive
- Relevant professional bodies or regulatory organisations
- Department for Education
- Ofsted

If on conclusion of the above stages the employee reasonably believes that the appropriate action has not been taken, he/she should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- the Department for Children, Schools and Families
- HM Revenue & Customs
- the Financial Services Authority
- the Office of Fair Trading
- the Environment Agency
- the Information Commissioner

An alternative independent advice centre is Protect (whistleblowing Advice)

Tel No: 020 3117 2520

<https://protect-advice.org.uk/>

Headmistress:		Date:	
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