

Whistleblowing Policy and Procedure

This policy sets out the whole school expectations in contributing to an outstanding learning environment. It should be read in conjunction with the following policies.

Early Years Policy	Activate Handbook
Positive Behaviour Policy:	Staff Code of Conduct
Anti Bullying Policy	Safeguarding Policy
Care and Supervision Policy	Prevention of Sexual Harassment Policy

This policy is in line with:

- Keeping Children Safe in Education (September 2024)
- Working Together to Safeguard Children (February 2024)
- Health and Social Care Act 2008 (Regulated Activities) Regulations, part 3 (2015)
- And giving due regard to Prevent Duty Guidance (March 2024)

Policy Review and Dissemination

All members of staff and governors will receive a copy of this policy. Copies may be reviewed by parents. This policy will be reviewed, evaluated and updated as required and formally on an annual basis to assess its relevance and effectiveness.

Date of update	(U) Updated (R) Reviewed by	How was updated disseminated	Policy on website	Gov approval
Sep 2016	H.Gee (R)		No	
Jan 2017	H.Gee (U)	Staff email/ briefing – all staff to familiarise		
Jan 2018	H. Gee (R)		No	
Jan 2020	H. Gee (U)	On shared drive	No	
Jan 2021	H. Gee (U)	On Teams	No	Yes
May 2022	H. Gee	On Teams	No	
Dec 2023	H. Gee	On Teams		
Dec 2024	K. Pheasant	On Teams	Yes	3/3/25

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Introduction

The school is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards in accordance with their contractual obligations and the school's policies and procedures. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

This policy ensures that BPS complies with the Public Interest Disclosure Act 1998 (PIDA) which applies to almost all workers and employees who ordinarily work in Great Britain. The situations covered include criminal offences, risks to health and safety, failure to comply with a legal obligation, a miscarriage of justice and environmental damage.

This procedure is not a substitute for normal line management processes but an addition to them. Staff should always first consider using normal line management for raising concerns. This procedure is only for the purpose of raising concerns about wrongdoing and is not a substitute or alternative for existing procedures such as the grievance, disciplinary procedures for staff or the complaints procedure.

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 ensure that employees and workers who make a 'protected disclosure' are protected from being treated badly or being dismissed. For a disclosure to be protected it must be made to an appropriate body. For example, disclosing a health and safety issue to the Health and Safety Executive is likely to be protected, but not if the concern was disclosed to the media.
- To provide colleagues with guidance as to how to raise those concerns and receive feedback on any actions taken.
- To reassure colleagues that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

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

This policy does not form part of an employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the School and the School

reserves the right to amend its content at any time. This policy reflects the school's current practices and applies to all individuals working at all levels of the organisation, 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 a whistleblower?

You're a whistleblower if you're a worker and you report certain types of wrongdoing. This will usually be something you've seen at work - though not always.

The wrongdoing you disclose must be in the public interest. This means it must affect others, for example the general public.

Definition of whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. You are protected by law if you report any of the following;

- suspicions or concerns regarding any type of abuse or potential harm to individuals in our care which for some reason cannot be raised under the normal safeguarding procedures as set out in our Child Protection and Safeguarding Policy
- a criminal offence, for example fraud, corruption, bribery
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, for example does not have the right insurance
- you believe someone is covering up wrongdoing
- acting contrary to the staff code of conduct

The following complaints do not fall under Whistleblowing:

Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest. In those cases, you should use the Grievance Procedure.

If staff are uncertain whether something is within the scope of this policy, they should seek advice from the Headteacher and if the matter is in relation to an alleged wrongdoing by the Headteacher then Staff should seek the advice of the Chair of Governors and LADO.

Raising a whistleblowing concern

This policy applies to all employees (either full or part-time), or others on temporary contract, secondees, trainees or volunteers.

Where there is evidence of any criminal activity or child safeguarding issues, the police and/or the Local Safeguarding Children's Board (LSCB) shall be informed immediately, in accordance with BPS's Child Protection and Safeguarding Policy as appropriate.

The school hopes 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:

- Sara Makepeace-Taylor - Headteacher
- Mina Kawasaki – Chair of Governors

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 staff's concern to know the whistleblower's identity, the school will discuss this with the member of staff first.

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. 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 measures 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 school's disciplinary procedure. If the Headteacher knows or has a suspicion that an employee comes into this category, then she will take advice from the designated governor who will help to determine what action should be taken.

Investigation and Outcome

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.

We will seek to inform you as soon as possible and in any event within 20 working days of either the outcome of our assessment or how the investigation is progressing. You may be asked to provide further information from time to time. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If we conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower may be subject to investigation which may result in a disciplinary sanction. In an extreme case malicious or wild allegations could give rise to legal action on the part of the person/people complained about.

If you are not satisfied

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy you can help us to achieve this.

If you are not happy with the way in which your concern has been handled, you can refer the matter to the Governors.

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 clearly this process cannot be followed. In such circumstances, the concern will be taken directly to the Headteacher who will decide in consultation with the governor with responsibility for whistleblowing/HR matters how it should be dealt with. In normal circumstances, where the concern is of a safeguarding nature, it would be referred to LADO.

External disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases staff should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for staff to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. 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.

Whistleblowing concerns usually relate to the conduct of school staff, but they may sometimes relate to the actions of a third party, such as a service provider. The law allows staff to raise a concern in good faith with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, staff are encouraged to report such concerns internally first. Staff should contact one of the other individuals set out above for guidance.

Protection and support for whistleblowers

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

Staff must not suffer any detrimental treatment as a result of raising a 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 this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Headteacher in the first instance.

Safeguarding

If a member of staff suspects that there is a serious safeguarding issue that they feel that the Headteacher is not taking seriously or that they believe there is a serious safeguarding issue involving the Headteacher they should in the first instance contact the designated governor.

Self-reporting

There may be occasions where a member of staff has a personal difficulty, or perhaps a physical or mental health problem, 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 situations, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

Further advice and support

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

Helpline: **020 3117 2520**

E-mail: Contact our Advice Line - Protect - Speak up stop harm

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

Alternatively, advice can be sought from the NSPCC Whistleblowing Helpline – 0808 800 5000 or help@nspcc.org.uk

It is recognised that whistleblowing can be difficult and stressful. Advice and support is available from your line manager, HR department and/or your professional trade union.

Don't think what if I'm wrong – think what if I'm right

Reasons for whistleblowing:

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 whistleblowing:

- 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 is expressed the easier and sooner action can be taken.
- Try to pinpoint exactly what practice is concerning you and why.
- Approach your Professional Mentor, Headteacher, or the Designated Child Safeguarding Officer.
- If your concern is about your immediate manager/Headteacher, or you feel you need to take it to someone outside the school contact the school Governors
- 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.

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