

## WHISTLEBLOWING POLICY



### ***'Believe to Achieve'***

#### Mission Statement

*'To provide quality education for our children in a happy, secure Christian environment, encouraging pupils to achieve their potential academically, spiritually and socially.'*

#### **Policy Statement**

Staffordshire Safeguarding Children Board (SSCB) expect staff and employees including adults working with children and young people, temporary staff, volunteers, students, contractors or external partner agencies, to express any concerns they may have with regards to the conduct of any individual(s). The term 'staff' will hereafter include all of the wider workforce, as stated above.

In line with expectation, All Saints' Primary School is committed to the highest standards of openness, integrity and accountability. All persons working for, or with this organisation, must feel safe and supported in order to express their concerns.

#### **Introduction**

This policy is intended to encourage and enable staff to raise their concerns and to do so without fear of victimisation or discrimination. It is supplementary to the organisation's Whistle Blowing Policy in regards to other forms of malpractice covered under the 'Public Interest Disclosure Act' (PIDA), which came into force in 1999. It provides a remedy for individuals who suffer workplace reprisal for raising a genuine concern, whether it is a concern about child safeguarding and welfare systems, financial malpractice, danger, illegality, or other wrongdoing. The concern may relate to something that is happening or has happened in the past. The PIDA covers all workers, including temporary staff. It does not cover the self-employed or volunteers. The Act also provides protection should individuals have difficulty gaining

a reference from an employer because they have raised a concern. It makes it clear that any clause in a contract that purports to gag an individual from raising a concern that would be protected under the Act is void.

#### **Aims:**

- To encourage adults working for or within the organisation to feel confident in raising concerns.
- Provide a process by which concerns can be raised and dealt with
- Receive feedback on the process (where appropriate)
- Provide a means by which staff can receive support where concerns have been raised.

#### **What does the safeguarding whistleblowing policy cover?**

This policy is designed to cover concerns that staff may have about the conduct of individuals in a position of trust within the organisation which could be detrimental to the safety and wellbeing of young people and where staff, for whatever reason, feel unable to raise them under the organisation's standard child protection procedures around dealing with such allegations. It could include issues about:

- Unprofessional behaviour
- Bullying by staff
- Any form of abuse (physical, sexual, emotional or neglect)
- Name calling
- Personal contact with children and young people which is contrary to the organisations policies and codes of conduct.
- Any form of racial abuse.
- Inappropriate sexualised behaviour
- Knowledge about an individual's personal circumstances which may indicate they could be a risk to children or unsuitable to work with children.

#### **Safeguarding against harassment or victimisation**

All Saints' School is committed to professional standards and to supporting staff. It is recognised that the decision to report a concern is difficult one to make.

Harassment or victimisation will not be tolerated and will take appropriate action in order to protect the person raising the concern when they are acting in good faith. Please see Safeguarding Policy for specific procedures for safeguarding concerns.

## **Making a Disclosure**

To make a disclosure either telephone or write to the Head-teacher. If writing, mark the envelope: 'Strictly Private and Confidential'. Do not e-mail, as this is not a secure medium and must not be used. If the designated person (the HT), is the subject of concern the matter should be referred to the Chair of Governors, Mrs Susan Durrant. If the Chair of Governors is the subject of concern the matter should be referred to the Chief Internal Auditor as Staffordshire County Council. Under standard procedures, if there are concerns that an adult working with children may have abused a child, or be unsuitable to work with children and young people, concerns will be passed to the Local Authority Designated Officer (LADO). If it is felt that it would be unsafe for any reason to share concerns with the named person from your organisation the following are appropriate contacts with whom to discuss your concerns:

Staffordshire County Council - First Response in the MASH - 0800 131126.

**Other support:** Recognised trade unions or professional associations can provide support and assistance or independent, external advice and this can be obtained from the charity Public Concern at Work - 020 7404 6609, or by email at [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk) For further information please see their website at [www.pcaw.co.uk](http://www.pcaw.co.uk). Regulatory bodies such as Ofsted will also give advice. Ofsted's whistle blowing hotline is: 0300 123 3155.

## **Confidentiality:**

All concerns will be treated in confidence, however, there may be a need for the whistle blower to give evidence eg., if they have witnessed a crime or in regard to disciplinary procedures if this is the outcome.

## **Anonymous Allegations:**

This policy encourages staff to raise concerns to be identified in doing so as part of their professional role/responsibility. However, anonymous allegations will be investigated as thoroughly as possible.

## **False Allegations:**

If staff raise a concern in good faith which is not confirmed by an investigation, no action will be taken. However, if a concern is raised maliciously, disciplinary action may be taken.

## **The Process**

The Headteacher/ Chair of Governors will acknowledge receipt of your disclosure in writing, within 5 working days. They will also gather further information if need be, including by personal interview, at which you can be accompanied by an official of your

trade union or professional association, or by a fellow employee. When the precise nature of the malpractice has been established, it will determine what further action, if any, is needed, which may comprise:

- internal investigation
- report to the Police
- report to external audit
- independent enquiry
- any combination of the above

Throughout the process the Headteacher/Chair of Governor will keep you informed on progress and (subject to legal constraints) the eventual outcome.

### **Further Appeal**

If at the end of the process you, or any other person covered by the Act, are not satisfied with how a disclosure has been dealt with, you may refer to one of the regulatory bodies/other external agencies whose details are listed below. As with internal disclosure, before referring to one of these bodies you should consider: Do I honestly and reasonably believe that my concerns are well founded and that any allegations I am about to make are substantially true?

### **Legal Protection**

Exceptionally, the Act offers protection in respect of disclosures made to people or bodies not listed in Staffordshire County Council's Appendix B but only when, all things considered, it is reasonable to do this and the disclosure is not made for personal gain. In addition, one of the following must apply:

- The matter must have been raised already with the employer and/or relevant regulatory body; or
- You reasonably believed that you would be victimised if you raised the matter internally; or
- There is no relevant regulatory body, and you reasonably believed that evidence was likely to be concealed or destroyed.
- Your concern is of an "exceptionally serious" nature, which is for you to determine.

### **Responsibilities**

The Council's Monitoring Officer has overall responsibility for this policy and will decide on the action to be taken in respect of all disclosures.

Contact Officers in Directorates are the first point of contact for 'whistleblowers', and are responsible for keeping them informed regarding the progress and outcome of any investigation.

HR units can offer advice and provide training.

Unions and professional associations can also support and assist their members.

Regulators and other external bodies can deal with concerns in specified circumstances.

Reviewed January 2017

To be reviewed January 2018

## Whistle Blowing Report Form

Name: \_\_\_\_\_

Date: \_\_\_\_\_

School: \_\_\_\_\_

1. Please give a brief outline of your concern. (Relevant dates, names, location etc)

2. Where there any other witnesses? If so give their full contact details.

3. Did you take any action at the time? If so what?

4. If you took action at the time, please give details as to why.

Signed:

Date:

Designation