

## Whistleblowing Policy

### What is a whistle-blower?

A whistle-blower is a member of staff who reports certain types of wrongdoing. This will usually be something which has been seen in School - though not always.

The disclosure of wrongdoing must be in the public interest. This means it must affect others, e.g. the general public.

A whistle-blower is protected by law. Although the School obviously hope that it will never be necessary, should a staff member ever feel obliged to "blow the whistle" they will not – indeed under law *cannot* – be treated unfairly or lose their job because they have exercised their rights under this legislation. Leighton Park will always treat whistle blowers with respect and professionalism.

A concern can be raised at any time about an incident that happened in the past, is happening now, or it is believed will happen in the near future.

The Whistleblowing Policy applies to all Staff working in Leighton Park School, whether paid or unpaid, whatever their position, role or responsibilities and "Staff" includes employees, governors, contractors, students and volunteers.

### Complaints that count as whistle-blowing

Staff are protected by law if they report any of the following:

- a criminal offence, e.g. fraud
- someone's health and safety in danger
- Concerns relating to unsafe practice and potential failures in the School's safeguarding regime
- risk or actual damage to the environment
- a miscarriage of justice
- the School is breaking the law
- they believe someone is covering up wrongdoing

### Complaints that don't count as whistle-blowing

Personal grievances (e.g. bullying, harassment, discrimination) are not covered by whistle-blowing law, unless your particular case is in the public interest. These should be reported under the School's Grievance Procedure.

### Raising a whistle-blowing concern

We would hope that in most cases staff will be able to raise any concerns with a senior member of staff by either 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.

However, where the matter is more serious, or you feel that your first attempt has not been effective, you should contact either the Head or the Chair of Governors.

Following a notification of a concern, the Head will arrange a meeting with the whistle-blower as soon as practicable to discuss the concern. Sufficient details will be recorded at this stage to enable the matter to be thoroughly investigated. As a minimum the Head 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. In some cases it will not be possible to maintain confidentiality and this will be explained to the member of staff. In such instances the member of staff will have the choice of either withdrawing or agreeing to his/her identity becoming known to enable the concern to be effectively dealt with.

Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

The School will take notes and produce a written summary of the concern raised and provide the whistle-blower with a copy as soon as practicable after the meeting. The School will also aim to give the whistle-blower an indication of how it proposes to deal with the matter but it may not always be possible to inform the whistle-blower how the matter is being investigated.

### **Confidentiality**

We hope that staff will feel able to voice whistle-blowing 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 whistle-blower'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. Whistle-blowers 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 you are in any doubt you can seek advice from one of the independent whistle-blowing charities, who offer a confidential helpline. Their website details are:

Website: [www.whistleblowing.org.uk](http://www.whistleblowing.org.uk) or [www.pcaw.co.uk](http://www.pcaw.co.uk)

### **Concerns about the Head or members of the Governing Body**

If the whistle-blowing concern is about the Head then they should contact the Chair of the Governing Body and this will be treated in the same manner as any other concern.

If a concern surrounding a member of the Governing Body is received then this will be treated in the same manner as any other concern. The concern will be raised by the Head with the Chair of Governors who will decide how it should be dealt with.

If the concern is against the Chair then this process cannot be followed. In such circumstances, the concern will be taken directly to the Head who will decide in consultation with other members of the Governing Body how it should be handled.

### **Safeguarding concerns**

Staff should also use this policy if they see another adult behaving inappropriately towards a student, or if they feel a safeguarding concern is not being dealt with properly by the DSL or the School's Senior Leadership Team.

If a member of staff feels unable to raise an issue with the School or feels that their genuine concerns are not being addressed, other whistleblowing channels are open for you to use. These channels are not limited to, but include:

NSPCC:

What you can do to report abuse helpline  
0800 028 285

[help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Single Point of Access:

0118 937 3641

### **External disclosures**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing within School. In most cases staff should not find it necessary to alert anyone externally. We strongly encourage staff to seek advice before reporting a concern to anyone external. The independent whistle-blowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Whistle-blowing 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.

### **Investigation and outcome**

Once a member of staff has raised a concern, the School will carry out an initial assessment to determine the scope of any investigation. In most cases a panel of up to three people appointed by the Head will investigate any issue. The School will inform the whistle-blower of the outcome of its assessment.

The School will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the School from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

If the School concludes that a whistle-blower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistle-blower will be subject to disciplinary action. There are no rights of appeal against any decisions taken under this procedure. However, an employee or the Head will have the right to refer any particular case to the Chair of Governors for review.

### **Protection and support for whistle-blowers**

It is understandable that whistle-blowers are sometimes worried about possible repercussions. The School will seek to be transparent in all it does and therefore will encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken. As described above, staff will not and cannot be treated unfairly as a result of having raised a concern under this Policy.

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Date of last review:	February 2019
Date of next review:	February 2021
Publication:	Z:\Policies\Current Policies\Whistleblowing Policy V:\School Policies\Whistleblowing Policy <a href="http://www.leightonpark.com/About/Policies">http://www.leightonpark.com/About/Policies</a>