

WHISTLEBLOWING POLICY Whole school and EYFS

IMPORTANT: For the academic year 2021 – 2022, head/headteacher will be the Principal and therefore these titles are interchangeable.

The Headteacher undertakes a formal annual review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later than one year from the date shown below, or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so require.

Signed: Mr Tim Cannell

Date reviewed: 6 September 2021

Date of next review: 3 September 2022

Introduction

The Whistleblowing Act, which came into force in July 1999, protects employees from negative or unfair treatment from their employer if, in the public interest, they blow the whistle on misconduct or detrimental behaviour towards the school or persons within it. If an employee is dismissed because he/she has made a protected disclosure that will be treated as unfair dismissal, and in any event employees are given a new right not to be subjected to any detriment by their employers on the grounds that they have made a protected disclosure, and to present a complaint to an employment tribunal if they suffer detriment as a result of making a protected disclosure.

For a disclosure to be protected by the Act's provisions it must relate to matters that qualify for protection under the Act. Qualifying disclosures are a disclosure in which the employee reasonably believes tends to show that one or more of the following matters is either happening now, took place in the past, or is likely to happen in the future:

- a criminal offence
- breach of a legal requirement; including fraud and/or corruption
- the unauthorised use of school funds
- a miscarriage of justice
- a danger to the health and safety of any individual (parents, students, staff or members of the public)
- damage to the fabric of the school
- other unethical conduct
- deliberate concealment of information tending to show any of the above matters.

A qualifying disclosure will be a protected disclosure provided the worker:

- makes the disclosure in good faith, and;
- reasonably believes that the information disclosed and any allegation contained in it are substantially true.

This may cover something that makes you feel uncomfortable in terms of known standards you experience or the standards you believe the school subscribes to or is against the school policies and falls below established standards of practice amounting to improper conduct.

The earlier concern is expressed the easier it is to take action. The school is committed to the highest possible standards of openness, integrity and accountability. In line with that commitment, we expect employees, and others that we deal with, who have concerns about any aspect of school life to come forward and voice those concerns. Individuals are often the first to realise that there may be something seriously wrong in an organisation. However, they may not feel able to express their concerns because they believe that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. They may feel it would be easier to ignore the concern rather than report what may just be a suspicion of unprofessional conduct or negligence. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember, it is often the most vulnerable children who are targeted. These children need someone like you to safeguard their welfare.

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

IF YOU ARE IN ANY DOUBT YOU MUST WHISTLEBLOW. YOUR CONCERNS WILL ALWAYS BE TAKEN SERIOUSLY. NEVER OVERLOOK SOMETHING THAT CONCERNS YOU.

Reasons for whistleblowing:

- everyone 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.

In the majority of cases, individuals with concerns will share those concerns with a member of the senior leadership team but it is recognised that certain cases will have to proceed on a confidential basis. This policy makes it clear that individuals can follow the procedure without fear of reprisals. It is intended to encourage and enable all individuals to raise concerns within the school to maintain public confidence, rather than overlooking a concern, or blowing the whistle outside the school.

The overriding concern is that it would be in the interest of all for the misconduct or negligence to be corrected and, if appropriate, sanctions applied.

This policy applies to all school employees and contractors working for the school. It also applies to volunteers and others not within an employment contract, although the provisions of the Public Interest Disclosure Act do not protect them. It is not to be used by individuals who are aggrieved about their personal position. The school's grievance procedure should be used under those circumstances.

It is not to be used by individuals who have concerns over child protection issues. These concerns should be dealt with under the child protection procedures.

Aims

Our aims are to:



- ensure that concerns and malpractice are identified, investigated and corrected
- encourage individuals to feel confident in raising concerns and to question and act upon concerns about practice
- provide avenues for individuals to raise those concerns and receive feedback on any action taken
- ensure that individuals receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- reassure individuals that they will be protected from possible reprisals or intimidation if they have a reasonable belief that they have made any disclosure in good faith
- minimise any difficulties experienced as a result of raising a concern, e.g. if an individual is required to give evidence in criminal or disciplinary proceedings the school will arrange for advice and support
- ensure that individuals against whom malicious allegations have been made are supported.

Roles and responsibilities

The Headteacher will:

- establish a culture whereby all individuals fully understand that it is safe and accepted to raise concerns as to malpractice
- actively want and expect individuals to raise concerns about malpractice. To ensure that victimisation of anyone who uses the whistleblowing procedure is not tolerated.

The Proprietor will:

- have designated the Headteacher to specifically deal with matters concerning whistleblowing. If the concern is about the Headteacher, then the designated person is the Proprietor.

Their responsibilities are:

- to reassure and support individuals who use these procedures
- to receive concerns raised by individuals
- to respect an individual's request that a concern raised will be kept confidential
- to ensure that they effectively communicate with individuals
- to carry out an initial assessment
- to acknowledge the concern to the person raising it within ten working days of it being raised; indicate how it is proposed to deal with the matter; estimate how long it will take to provide a final response; advise whether any initial enquiries have been made and supply information on individual support mechanisms
- to inform, where appropriate, the person against whom alleged concerns have been raised of the nature of the concerns and how it is proposed to deal with the matter.

Protection of individual

Harassment or Victimisation

Parsons Green Prep School recognises that the decision to report a concern or malpractice can be a difficult one to make, not least because of the fear of reprisal from those responsible for the alleged malpractice. Harassment, victimisation or subsequent discrimination or disadvantage of anyone raising a genuine concern will not be tolerated when individuals are acting in good faith and the school will take action to protect such individuals. This assurance does not include anyone who maliciously raises a matter they know is untrue.

Confidentiality

Parsons Green Prep School will do its best to protect a person's identity when they raise a concern and do not want their name to be disclosed. It should be appreciated, however, that after an investigation has been conducted as a result of whistleblowing, it is likely that the source of the information may be revealed

or a signed statement may be required as part of the evidence or evidence may be needed in a court of law.

Anonymous allegations

Parsons Green Prep School encourages individuals to put their names to allegations. Concerns expressed anonymously are much less powerful but they will be considered. The factors to be taken into account would include:

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

Untrue Allegations

If an individual makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, it becomes apparent from the investigation that the individual making the disclosure has acted frivolously, maliciously or for personal gain, that individual may be subject to disciplinary action.

Raising concerns

Any concerns should be raised verbally or in writing. It should be noted, however, that concerns in writing are more formal in nature and therefore may lead to a more formal approach from the outset. The concern will be formally recorded and the matter will be treated as confidential.

Individuals making a written report should include: the background and history of the concern (giving relevant dates), full details of the circumstances and the reason why they are particularly concerned about the situation. Although individuals are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for their concerns.

Who to contact

Staff should initially raise concerns with the Headteacher. If the individual is not satisfied with the response received from the Headteacher, they should contact the Proprietor.

Advice and information

Individuals may wish to talk to their professional teacher association or trade union representative. The charity Public Concern at Work provides free confidential advice to employees who have concerns about wrongdoing in the workplace. The charity can be contacted at CAN Mezzanine, 7 - 14 Great Dover Street, London SE1 4YR, by telephone on 020 7404 6609 or by email at whistle@pcaw.org.uk.

School response

An initial assessment will be undertaken by the Headteacher in order to establish whether the concerns:

- may be resolved without the need for an investigation
- require urgent action being taken before any investigation is conducted
- fall within the scope of specific procedures (for example, child protection) and should be dealt with under those procedures
- require an investigation and, if so, what form it should take.

The concerns may be investigated through the school's disciplinary procedure. A disclosure to the employer will be protected if the whistleblower has an honest and reasonable suspicion that misconduct has occurred, or is likely to occur.

Reviewed and approved:	Job title; Headteacher
	6 September 2021
Next review due:	3 September 2022