



'Doing our best to achieve our best'

Clarendon Primary School, Nursery & Family Centre

Whistle blowing Policy

Rational

Clarendon Primary School and Family Centre are committed to the highest possible standards of honesty, openness, probity and accountability. It seeks to conduct its affairs in a responsible manner to ensure that all school and Family Centre activities are open and effectively managed, and that the integrity and principles of public interest disclosure are sustained.

Where concerns are raised, which relate to the welfare of children, the statutory guidance on managing allegations against teachers and other staff (found in part four of Keeping Children Safe in Education) will be followed. This process is outlined in the school's 'Managing allegations of abuse made against staff or volunteers' policy'.

Purpose of the policy

Employees, volunteers and those working on behalf of the school and Family Centre are often the first to realise that there may be something seriously wrong within the organisation. However, staff may not express their concerns because they feel that speaking out would be disloyal to their colleagues or to the school or Family Centre. They may also fear harassment or victimisation. Each person working for Clarendon Primary School and Family Centre needs to realise that they not only have the right, but also a duty to report any improper actions or omissions.

Clarendon Primary School and Family Centre also recognises and appreciates that staff, volunteers or people working on their behalf, who raise concerns regarding malpractice or wrongdoing, are an asset and not a threat. This policy makes it clear that they can raise any concern they may have without fear of victimisation, subsequent discrimination or disadvantage. This 'whistle blowing' policy is intended to encourage and enable staff to raise serious concerns within the school and Family Centre.

Key policy aims:

- To encourage staff to feel confident in raising serious concerns as well as question and act upon concerns seen or raised about practice.
- To provide clear avenues to raise concerns and receive feedback on any action taken.
- To ensure that staff receive an appropriate response to their concerns and are aware of how to pursue further if they are not satisfied.
- To reassure staff that they will be protected from possible reprisals or victimisation if they make any disclosure

Who is covered by the policy?

This policy applies to all school and Family Centre employees, whether full-time or part time, permanent or temporary; members of the council and those carrying out work on behalf of the Council, for example agency workers, contractors and consultants. It also covers providers of work, services and supplies, including external contractors and those providing services under a contract to the school or Family Centre. *(N.B - To facilitate the reading of this policy, the terms 'staff' or 'members of staff' has been used with the intention to cover all individuals mentioned above.)*

How to raise a concern:

In line with our commitment to always ensuring the highest possible standards of work, we encourage employees, volunteers, those working on behalf of Clarendon Primary School and Family Centre and other people we deal with, to come forward and voice their concerns in the following ways:

- a) By sharing these with their immediate manager, the Headteacher or DSL (Designated Safeguarding Lead). **N.B** - Where any member of staff decides to report a serious incident, whether anonymously or not, this will be treated as a 'protected, internal disclosure', which means that there will be no adverse repercussions for that member of staff.
- b) By using the external, independent and confidential service provided by the Expolink helpline. This service can be contacted by calling the following Freephone number: 0800 374199. **N.B** - if for any reason a member of staff feels unable to report a situation through our current provider, they may wish to use 'Public Concern at Work'. This helpline offers independent and confidential advice to workers who are unsure whether or how to raise a public interest concern. This service can be contacted on: 020 7404 6609. Further advice can also be sought for the NSPCC's Whistle blowing helpline that can be contacted on [0808 800 5000](tel:08088005000) or emailed at: help@nspcc.org.uk.

It is always important to get a satisfactory response - don't let matters rest. Ideally staff should put their concerns in writing, outlining the background and history, giving names, dates and places where they can. Whilst a member of staff is not expected to prove the truth of an allegation, they will need to demonstrate sufficient grounds for the concern. They should voice their concerns, suspicions or uneasiness as soon as they feel they can, always trying to pinpoint exactly what practice is concerning them and why. (The earlier a concern is expressed the easier and sooner action can be taken.)

Safeguarding against harassment or victimisation

Clarendon Primary School and Family Centre are committed to delivering high standards and to adhering to good practice guidelines. We want to be supportive of all employees and recognise that the decision to report a concern can be a difficult one to make. If a member of staff has a reasonable belief that what they are saying is true, they have nothing to fear as they will be doing their duty to their employer and/or those for whom they are providing a service.

Providing that the member of staff discloses the information in good faith, believes the concern to be true, does not act maliciously or make false allegations and does not seek any personal gain, Clarendon Primary School and Family Centre will take a zero tolerance approach to any act of harassment or victimisation, including informal pressures. It will take action to protect staff when they raise a concern by supporting the member of staff and considering what action to take against the person or persons responsible for the reported acts under the most appropriate policy / procedure, e.g. the school's disciplinary policy.

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 may be taken.

Confidentiality

All concerns will be treated in confidence; however, at the appropriate time, the whistle blower may be asked to come forward as a witness. (This will be discussed with them in advance.)

Anonymous allegations

Whenever possible, this policy encourages staff to put their name to their allegation.

Where a concern is raised via the external confidential Expolink Service, there is a place to provide Expolink with your name and contact details. This will not be passed to the school or Family Centre without express permission from the individual. (This enables feedback to be given.)

How the school and Family Centre will respond

Clarendon Primary School and Family Centre will investigate and respond to all concerns raised, via any channel, by staff or service users, including through Expolink and the Contact Centre.

While it is not essential that concerns are provided in writing, the person receiving the concern will ensure that a written account of it is made. This will help with the subsequent investigation by making sure that everyone involved is clear about what is being raised.

When a concern is raised, managers should undertake the following actions:

- Take the concern seriously
- Consider the concerns fully and objectively
- Recognise that raising a concern can be a difficult experience for employees
- Ensure confidentiality

Staff members who are under investigation will not be involved in the investigation process.

Initial enquiry

In order to protect the individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the school and Family Centre will always have in mind, is that of the public interest. If urgent action is required, this will be taken before any investigation is conducted and after consultation with the LADO.

Preliminary enquiry

A preliminary enquiry will establish the need to carry out an investigation. Further to the results of the initial and preliminary enquiries, and at the discretion of senior management, the following steps will need to be considered to identify what would be the most appropriate course of action:

- Any concerns or allegations, which fall within the scope of specific procedures, e.g. child protection or discrimination issues, will normally be considered under these procedures.
- Where there is any financial impropriety, the concern should be referred to Internal Audit, before taking any other action.
- Matters of a criminal nature will be reported to the Police, after consultation with Internal Audit / the LADO.
- Whether the concern / allegation falls within the School and Family Centre's disciplinary or other relevant management policies, procedures and processes. Where it does, these will be followed.
- Who should be appointed as the officer to carry out the investigation under these procedures.

Investigation Timescales

Within ten working days of a concern being raised, the person who is dealing with the concern will respond in writing either to the employee directly or to Expolink where this was the reporting route:

- Acknowledging that the concern has been received.
- Indicating how the school or Family Centre propose to deal with the matter.
- Giving an estimate of how long it will take to provide a final response.
- Advising whether any initial enquiries have been made.
- Supplying information on staff support mechanisms.
- Advising whether further investigations or action is required and, if not, why not.

Where Expolink was the reporting route, the manager dealing with the concern will provide an additional update to Expolink at 28 calendar days after the initial report was received, advising them of additional progress made and the estimated date a final response will be available.

The investigation process

The impartial investigating manager appointed to undertake the investigation will establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. As part of this initial investigation other people may need to be interviewed to provide further information and/or clarification concerning the issue(s) raised.

Throughout the investigation, written records of all interviews will be kept together with written details of any action taken. The investigation will result in a written report with recommendation/s for any corrective action required. This will be passed to the manager responsible for deciding whether formal action should then be taken. Once a decision has been made, the person the allegation relates to will be informed of this, in

writing, within 5 working days. (**N.B** – In line with the school’s Disciplinary & Capability Procedure, the member of staff in question will have the right to appeal this decision, as outlined in appendix 1 below.)

Where a meeting is arranged involving an individual member of staff, (which can be off-site) a recognised Trade Union representative or a work colleague may also attend. **N.B** - The school and Family Centre will always take steps to minimise any difficulties which may be experienced as a result of raising a concern; for example, if a member of staff is required to give evidence in criminal or disciplinary proceedings, the school and Family Centre will arrange for them to receive appropriate procedural and/or legal advice.

The member of staff raising the concern will be subject to legal constraints. They will be advised in writing of the outcome of the investigation and, where appropriate, what action is being taken. This may include changes to working practices, to ensure that a similar situation does not occur again. Where the concern was raised via Expolink, the employee will be invited to contact them for feedback at the appropriate time.

Further information:

This policy should be read in conjunction with the following policies:

- Child Protection Policy
- Disciplinary & Capability Procedure
- Staff code of conduct
- Complaints Policy
- E-safety Policy
- Fairness & Dignity at Work Policy
- Equality Policy
- Safer Recruitment Policy
- Managing allegations of abuse made against staff or volunteers Policy

Review

Date reviewed by governing body: Summer Term 2020

Date due for review: Summer Term 2023

Appendix 1

Making an Appeal

There is a right of appeal against any decision made regarding a decision to take formal action; this includes imposing a written warning or other formal sanction as a result of action taken by the employee's manager, the Headteacher or by governors.

In exercising this right, the employee must confirm the grounds on which he/she is making the appeal. In cases of poor performance, the process of assessing and reviewing capability will continue pending the outcome of any appeal.

Appeals will be heard by the Headteacher or one or more governors, in accordance with the school's scheme of delegation in place and bearing in mind the need to secure impartiality at every stage of the process. No person will hear an appeal against his/her own decision. Appeals against dismissal, or against formal warnings or sanctions determined by governors, will always be heard by one or more governors with delegated powers. References to the Appeals Panel hereafter may therefore be interpreted accordingly, although the 'panel' could in some cases consist of one person.

An officer of the authority will attend an appeal hearing against a decision to dismiss in a community or voluntary controlled school. The School's Personnel Consultant will be contacted to provide advice about this.

The appeal hearing will be arranged to take place as soon as is reasonably practicable, allowing the employee at least 5 working days' notice of the date (or 10 working days where the appeal is against a dismissal decision).

The purpose of the meeting is for the Appeals Panel to consider the grounds for appeal and to review the fairness of the outcome of the original meeting. New evidence may be considered at the appeals stage but no additional grounds for action against the employee may be introduced.

Within 5 working days of the appeal hearing taking place, the employee will be notified in writing of the outcome and any actions which have been determined. There is no further right of appeal.

In community and voluntary controlled schools the local authority is responsible for confirming the termination of contract with the employee. The local authority must, therefore, be kept informed about the outcomes of appeals against dismissal.

If a dismissed employee is reinstated on appeal, his/her salary will be back-paid to the date of the original termination, minus any monies already paid in respect of notice.