

**WINDLESHAM HOUSE SCHOOL
WHISTLEBLOWING POLICY**



WINDLESHAM HOUSE SCHOOL

Policy: 01-07

WHISTLEBLOWING POLICY

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Last Technical Review: Sep 2021

Responsible Governor: Martina Asmar

Responsible Member of Staff: Bursar, Emma Harris

Summary Policy Statement: *Windlesham House School wishes to ensure that an environment exists where staff can always raise their concerns and be confident that they will be dealt with in a sensitive and appropriate manner.*

1. Purpose of the policy

- 1.1 Windlesham House School wishes to ensure that an environment exists where staff and volunteers can always raise their concerns made in good faith and be confident that they will be dealt with in a sensitive and appropriate manner. However, Windlesham also recognises that there may be instances where a more formal process is needed to make sure that staff can raise major concerns that are not covered by other policies.
- 1.2 This policy is designed for the use of all employees. Other individuals performing functions in relation to Windlesham, such as contractors and agency workers, are also encouraged to use it. Parents are encouraged to raise genuine concerns about suspected wrongdoing by making a complaint via the School's Complaints Procedure.
- 1.2 This policy also applies to our Early Years Foundation Stage and after school care.

2. Compliance

- 2.1 A report on each investigation conducted under the policy will be submitted to the Governing Body.

2. Principles

- 2.1 Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. An employee may be the first person to realise that there could be something seriously wrong within the school, but they may feel that speaking out would be disloyal to colleagues. They may fear harassment or victimisation. This policy aims to encourage you to feel confident raising a concern, provide a way to raise the concern, ensure you receive a response and reassure you that you'll be protected from reprisals.

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- 2.2 The School encourages workers to raise genuine concerns about suspected wrongdoing at the earliest practicable stage. This policy is intended to provide safeguards to enable members of staff to raise concerns about malpractice in connection with the School.
- 2.2 Any matter raised under this policy will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the individual who raised the concern.
- 2.3 No individual will be victimised for raising a matter under this policy. This means that the continued employment and opportunities for promotion or training of the individual will not be prejudiced because he/she has raised a legitimate concern.
- 2.4 Victimisation of an individual for raising a qualifying disclosure (see paragraph 3.1 and 3.2 below) will be a disciplinary offence.
- 2.5 An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter to the Headmaster or Chair of Governors.

3. Background

- 3.1 Employment legislation governs the making of disclosures concerning workplace activities and is intended to protect employees who blow the whistle on bad practice from being subject to any detriment or from being unfairly dismissed as a result. They are called 'qualifying disclosures'. All types of wrongdoing are included whether they are acts committed by fellow workers, faults in Windlesham's procedures or oversights which should be rectified.
- 3.2 A qualifying disclosure is one made in the public interest by an employee or worker who has a reasonable belief that:
- a criminal offence has been committed, is being committed or is likely to be committed
 - that an individual has failed, is failing, or is likely to fail, to comply with any legal obligation to which they are subject
 - a miscarriage of justice has occurred, is occurring or is likely to occur
 - the health or safety of any individual has been, is being, or is likely to be, endangered.
 - the environment, has been, is being, or is likely to be, damaged
 - information tending to show any of the above, is being, or is likely to be, deliberately concealed.
- 3.3 It is not necessary for an employee or worker to have proof that such an act is being, has been or is likely to be committed – a reasonable belief is sufficient. The employee or worker has no responsibility for investigating the matter – it is Windlesham's responsibility to ensure that an investigation takes place.
- 3.4 Any confidentiality clause included in a settlement agreement will not be effective in a whistleblowing situation

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4. Safeguarding

- 4.1 Nothing within this policy is intended to prevent staff from complying with their statutory obligations in accordance with Keeping Children Safe in Education (DfE: September 2021). In particular:
- Safeguarding Children: You should raise any initial safeguarding concerns about a child with the Designated Safeguarding Lead in accordance with Windlesham's Child Protection and Safeguarding Children Policy.
 - Safeguarding - member of staff: You should raise any concerns about another staff member with the Headmaster, or if the concern is about the Headmaster, with the Chair of Governors (without first notifying the Headmaster) in accordance with Windlesham's Child Protection and Safeguarding Policy.
 - Whistleblowing Policy: You should follow this policy to raise concerns about poor or unsafe safeguarding practices at Windlesham or potential failures by Windlesham staff to properly safeguard the welfare of pupils if you are concerned that the School's Child Protection and Safeguarding Policy and Procedures are not being followed correctly.
 - Children's Social Care: In exceptional circumstances, or if at any point there is a risk of immediate danger or serious harm to a child, a referral should be made to Children's Social Care and/or the police immediately.

5. Grievances

- 5.1 You should not use this policy to raise a complaint relating to your personal circumstances in the workplace. The Grievance Procedure should be used in all cases.

6. Raising a concern

- 6.1 Record what you witnessed in writing including where possible any background, names, other witnesses, dates, times and places as well as the nature of your concern.
- 6.2 If for any reason you do not wish to put your concern in writing, the person to whom you report will make a written record and ask you to sign to confirm its accuracy. Keep a copy of the written record.
- 6.3 Do not:
- investigate the matter yourself
 - tell those you suspect to be involved
 - accuse or approach individuals
 - tell anyone other than your Head of Department (or Deputy Head in the event that your Head of Department is involved in the suspected wrongdoing)
- 6.4 The Head of Department will investigate your concern or appoint someone more senior (and also not involved in your concern) to investigate. You will receive a written acknowledgement of your concern within one week of its receipt.
- 6.5 You will be kept informed of the progress of the investigation and of its outcome but confidentiality may mean that we cannot give specific details.
- 6.6 If you are not satisfied with the outcome you should take your concern to the Headteacher. If the Head Teacher is involved in the suspected wrongdoing you should take your concern to the Chair of Governors.
- 6.7 In order to encourage openness and potentially reduce tension and anxiety, staff who have made or wish to make a disclosure, can bring a third party to any meetings or

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discussions about the matter. This could be a friend or a trade union representative, for example.

7. Disclosure to external bodies

7.1 This policy has been implemented to allow staff to raise disclosures internally within the School. Staff have the right to make a disclosure outside of the School where there are reasonable grounds to do so and in accordance with the law.

7.2 Disclosure to an external body may cause damage to Windlesham and its reputation as well as constitute a breach of your own duty of confidentiality towards the School and this action should only be taken in extreme circumstances and after careful thought.

7.2 Staff may make a disclosure to an appropriate external body prescribed by the law. This list of 'prescribed' organisations and bodies can be found in information on the GOV.UK website: www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies#education

8. Confidentiality

8.1 If a concern is raised anonymously it is very difficult to investigate.

8.2 The member of staff receiving the concern will respect and protect a person's identity when a concern is raised. However, in certain circumstances identities will have to be revealed to the person complained against and the complainant may be asked to provide written evidence in support of the complaint.

8.3 If a person's identity is to be disclosed, he or she will be informed before the disclosure and given reasons why this was necessary.

9. False allegations

9.1 Whistle blowing is the mechanism by which adults can voice their concerns, made in good faith, without fear of repercussion. All staff and volunteers are encouraged to voice their concern and allegations safe in the knowledge that those who make allegations in good faith that do not prove to be true will not be reprimanded.

9.2 Windlesham may take disciplinary action against staff who make claims that are found to be knowingly false, malicious or for personal gain.

10. Further Assistance for Staff

10.1 The School will not tolerate any harassment or victimisation of workers who make disclosures. If, at any stage of this procedure a worker feels that they are being subject to informal pressures, bullying or harassment due to making a disclosure, they should raise this matter, in writing, to the Chair.

10.2 An employee making a disclosure may want to confidentially request counselling from the staff counselling service. A link to this is available on the staff intranet home page and in the staff handbook.

10.3 Staff can also contact the charity 'Protect' (formerly Public Concern at Work) for confidential advice on whistleblowing issues. www/protect-advice.org.uk/homepage/
Tel 020 3117 2520

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11. The media

You should under no circumstances approach a commercial body, the media or external organisation (other than an appropriate external body prescribed by the law as referred to at para 7.2) with details of the suspected wrongdoing.

12. Monitoring and Review

12.1 The Governing Body will review this policy every two years.

12.2 The school will keep a record of all concerns raised under this policy and procedures (including cases where the School deems that there is no case to answer and therefore that no action should be taken) and will report to the Governing Body on an annual basis as appropriate.