

The Dharma Primary School

Whistleblowing Policy

This is a whole school policy and includes EYFS

The following policy outlines procedures that are in place in the School that enable any member of staff to raise a legitimate concern regarding possible malpractice. In line with the Child Protection and Safeguarding Policy and KCSIE (2019) all members of staff must be mindful of their responsibility to safeguard and promote the welfare of pupils in our care. Issues of pupil welfare must always be of paramount importance. Staff should try not to think 'What if I am wrong?' but rather 'What if I am right'? The policy aims to make explicit the School's commitment to the development of good practice and appropriate procedures.

PURPOSE

We are committed to running the School with honesty, integrity and ethics. We expect all members of staff to maintain high standards in accordance with our policies and relevant professional codes of conduct. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

This policy aims to:

- Encourage staff to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- Provide members of staff with guidance as to how to raise those concerns.
- Reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

WHAT IS WHISTLEBLOWING?

The term whistleblowing can be defined as raising a concern about a wrongdoing within an organisation. The School has adopted this policy and procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion.

Employment legislation governs the making of disclosures concerning workplace activities and is

intended to protect members of staff who blow the whistle on bad practice from being subjected to any detriment or from being unfairly dismissed as a result.

This procedure is available to all members of staff who discover something they feel that they should pass on in the interests of the public. All types of wrongdoing are included whether they are acts committed by fellow members of staff, faults in school procedures or oversights which should be rectified. The procedure should be used even in the event that the act or omission causing concern has finished or has not yet started.

Examples of activities about which a member of staff might want to disclose:

- criminal activity;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal [or professional] obligation or regulatory requirements;
- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures;
- breach of professional codes of conduct;
- conduct likely to damage our reputation;
- unauthorised disclosure of confidential information;
- the deliberate concealment of any of the above matters.

A whistleblower is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy.

If you are uncertain whether something is within the scope of this policy you should seek advice from your immediate manager or the Head Teacher.

SAFEGUARDING

Nothing within this policy is intended to prevent staff from complying with their statutory obligations in accordance with Keeping Children Safe in Education (DfE, 2019). In particular:

- **Child Protection and Safeguarding Policy:** A member of staff should raise any initial safeguarding concerns about a child with the Designated Safeguarding Lead in accordance with the School's Child Protection and Safeguarding Policy and Procedures.
- **Safeguarding - member of staff:** A member of staff should raise any concerns about another staff member with the Head, or if the concern is about the Head, with the Chair of Trustees (without first notifying the Head) in accordance with the procedures in the School's Child Protection and Safeguarding Policy. The LADO will then be contacted on the same day.
- **Whistleblowing Policy:** A member of staff should follow this procedure to raise concerns about poor or unsafe safeguarding practices at the School or potential failures by the School or staff to properly safeguard the welfare of pupils if the member of staff is concerned that the School's Child Protection and Safeguarding Policy and Procedures are not being followed correctly. Members of staff can also contact the NSPCC advice line for whistleblowing on 0800 028 0285 or online at help@nspcc.org.uk.
- **FDF (Front Door for Families):** In exceptional circumstances, or if at any point there is a risk of immediate serious harm to a child, a referral should be made to FDF immediately.

WHISTLEBLOWING PROCEDURE

This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases you should use the Grievance Procedure detailed in the Harassment and Bullying Policy, which can be found in the Staff Handbook.

We hope that in many cases you will be able to raise any concerns with your immediate manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively.

However, where the matter is more serious, or you feel that your manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact the Head Teacher or the Trustees. We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

We will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

CONFIDENTIALITY

Members of staff who wish to raise a concern under this procedure are entitled to have the matter

treated confidentially insofar as possible. The School will make every effort to keep the member of staff's identity confidential. If it is necessary for anyone investigating the concern to know the member of staff's identity, this will be discussed with the member of staff in advance. Members of staff are encouraged to express their concern in writing wherever possible.

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 from the member of staff. It is also more difficult to establish whether any allegations are credible and have been made in good faith. Members of staff who are concerned about possible reprisals if their identity is revealed should make this known when raising their concerns.

If you are in any doubt you can seek advice from Protect <https://protect-advice.org.uk/>, the independent whistleblowing charity, who offer a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. They can be contacted via a form on their website or by telephone on 020 3117 2520.

If there is evidence of criminal activity then the Police will in all cases be informed.

PROCESS

Stage One

The member of staff should disclose the suspected wrongdoing first to the Head Teacher. In the event that the Head is involved in the suspected wrongdoing, the member of staff shall be entitled to proceed directly to Stage Two of this procedure. The member of staff can expect a response detailing to whom the disclosure has been notified or any action taken within seven days of the Head becoming aware of the disclosure.

Stage Two

If no response is forthcoming after seven days or if the Head Teacher is involved in the suspected wrongdoing the member of staff shall be entitled to notify the Chair of the disclosure.

Stage Three

If the member of staff does not receive a response within seven days the member of staff shall be entitled to notify a relevant and appropriate body outside the School which may include:

- the Local Authority Designated Officer (LADO; Darrel Clews T: 01273 295643 M: 07795335879);
- Children's Social Care (FDFF, 01273 290400);
- the Health and Safety Executive;
- the Environment Agency;
- the Information Commissioner;

- the Department for Education (DfE);
- the Department for Business, Enterprise and Regulatory Reform;
- the Police;
- the Charity Commission;
- the Independent Schools Inspectorate (ISI); or
- the Channel Police Practitioner.

Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.

In some cases we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation or outcome as confidential.

If we conclude that a whistleblower has made false allegations maliciously, in bad faith or with a view to a personal gain, the whistleblower may be subject to disciplinary action.

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy you can help us to achieve this.

If you are not happy with the way in which your concern has been handled, you should discuss next steps with the Head Teacher or the Trustees.

EXTERNAL DISCLOSURES

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing at our School. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. In these extreme circumstances a member of staff will have the right to raise a concern directly with a relevant and appropriate outside body without first having followed the stages above. This may however cause damage to the School and its reputation as well as constitute a breach of the member of staff's own duty of confidentiality towards the School and this action should only be taken in extreme circumstances and after careful

thought. We strongly encourage you to seek advice before reporting a concern to anyone external.

The School will consider extreme circumstances exist where the member of staff has a reasonable belief that:

- the School will subject them to detriment if they inform the Head in accordance with Stage One above or if they inform the Chair of Trustees in accordance with Stage Two;
- a cover-up is being mounted by the School; or a disclosure made previously to the Head or the Chair of Trustees in accordance with the stages above has not prompted a satisfactory response.

Even where extreme circumstances are thought to exist, it will very rarely, if ever, be appropriate to approach a commercial body or the media with details of the suspected wrongdoing. If the member of staff approaches any such body and / or where their concern is disclosed for personal gain, the School may consider this to be gross misconduct and immediate disciplinary action may be taken against the member of staff.

PROTECTION FROM REPRISAL OR VICTIMISATION AND SUPPORT FOR WHISTLEBLOWERS

Provided that this procedure is used appropriately and correctly, a member of staff will not suffer any detriment as a result of reporting the wrongdoing. A failure to follow this procedure may however make the disclosure unreasonable and the protection given to the member of staff by this procedure may be lost.

If any member of staff has any queries about this procedure, they should contact the Head / Bursar. It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support employees who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Head Teacher or the Trustees. If the matter is not remedied you should raise it formally using the procedure detailed in the Grievance Policy.

Person Responsible for reviewing this policy	HT/ CME
Date of last review	09/18
Date of this review	10/19
Ratified by trustees	
Date of next review	10/20