

# Whistleblowing Policy

## 15 June 2023

Document title			Whistleblowing Policy
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Version number			V1
Date approved			SLT Meeting: 15 December 2022
Review cycle			Biannually
Approved by			Headteacher & Senior Leadership Team
Date of review			15 December 2024
Document history			
Version	Date	Author	Note of revisions
V1	21/11/2022	David Stewart	New Policy following new ownership
V2	07/06/2023	David Stewart	Slight change re: governors

Heathermount School is owned and operated by Cavendish Education.

This policy is one of a series of school policies that, taken together, are designed to form a comprehensive statement of the school's aspiration to provide an outstanding education for each of its students and of the mechanisms and procedures in place to achieve this. Accordingly, this policy should be read alongside these policies. In particular it should be read in conjunction with the policies covering equality and diversity, Health and Safety, safeguarding and child protection.

All of these policies have been written, not simply to meet statutory and other requirements, but to enable and evidence the work that the whole school is undertaking to ensure the implementation of its core value of building confidence and preparing students for life.

While this current policy document may be referred to elsewhere in Heathermount School documentation, including particulars of employment, it is non-contractual.

In the school's policies, unless the specific context requires otherwise, the word "parent" is used in terms of Section 576 of the Education Act 1996, which states that a 'parent', in relation to a child or young person, includes any person who is not a biological parent but who has parental responsibility, or who has care of the child. Department for Education guidance Understanding and dealing with issues relating to parental responsibility considers a 'parent' to include:

all biological parents, whether they are married or not

any person who, although not a biological parent, has parental responsibility for a child or young person - this could be an adoptive parent, a step-parent, guardian or other relative

any person who, although not a biological parent and does not have parental responsibility, has care of a child or young person.

A person typically has care of a child or young person if they are the person with whom the child lives, either full or part time and who looks after the child, irrespective of what their biological or legal relationship is with the child.

The school employs the services of the following consulting companies to ensure regulatory compliance and the implementation of best practice:

- Peninsula BrightHR
- Peninsula BusinessSafe (Health and Safety)
- Atlantic Data (DBS)
- Educare (online CPD)

Heathermount School is committed to safeguarding and promoting the welfare of children and young people and expects all staff, volunteers, pupils and visitors to share this commitment.

All outcomes generated by this document must take account of and seek to contribute to safeguarding and promoting the welfare of children and young people at Heathermount School.

The policy documents of Heathermount School are revised and published periodically in good faith. They are inevitably subject to revision. On occasions a significant revision, although promulgated in school separately, may have to take effect between the re-publication of a set of policy documents. Care should therefore be taken to ensure, by consultation with the Senior Leadership Team, that the details of any policy document are still effectively current at a particular moment.

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## **1. Introduction**

Heathermount school is committed to delivering services of the highest possible standard, having a culture of safety and of raising concerns where staff are valued, and reflective practice is promoted. Therefore, staff members are welcomed and encouraged to come forward and voice any concerns that they have about any aspect of the school's work, including about poor or unsafe practice and potential failures in the School's safeguarding regime, so that they can be dealt with effectively.

The school wants staff to feel able to raise concerns without fear of reprisals rather than overlooking a problem. Provision for mediation and conflict resolution are provided where necessary. The school seeks to promote a culture of transparency and accountability in relation to how concerns are raised and handled.

Staff members are expected to acknowledge their individual responsibilities to bring matters of concern to the attention of the Senior Leadership team and/or relevant agencies; although this can be difficult, this is particularly important where the welfare of children may be at risk. A staff member may be the first to realise that there may be something wrong within the school. However, they may not feel able to express their concerns because they feel that speaking up could be disloyal to their colleagues or to the school. They may also fear the possibility of harassment or victimisation. In these circumstances, they may feel it could be easier for them to ignore the concern rather than report it. These feelings, however natural, should not result in a child or young person continuing to be unnecessarily at risk. Staff members should not think 'what if I'm wrong?' rather, 'what if I'm right?'.

## **2. Aims and Scope of this policy**

This policy aims to:

- Encourage staff members to feel confident and safe in raising serious concerns and to question and act upon concerns about practice.
- Provide an avenue for staff members to raise these concerns and receive feedback on any action taken.
- Ensure that staff members receive a response to their concerns and that they are aware of how to pursue them if not satisfied.
- Reassure staff members that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

This policy applies to all staff members, volunteers and contractors, paid and unpaid, working in the school including governance colleagues who wish to raise issues about individual colleagues and /or about the school and Cavendish Education as organisations.

It does not apply to staff members et al raising issues about a parent or a student, or about something or someone beyond your colleagues, the School and Cavendish Education, nor does it apply to parents or students raising issues (the former are invited to use the school's complaint's policy).

### **3. What is whistleblowing?**

Whistleblowing is when a worker reports suspected wrongdoing at work. Wrongdoing covered by this 'public interest disclosure in a school may include:

- Actions that negatively affect the welfare of children,
- Someone's health and safety is in danger
- Conduct, which is an offence or a breach of law
- Poor or unsafe practice such as potential failures in the school's Safeguarding regime
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- The unauthorised use of public funds
- Possible fraud and corruption
- Sexual or physical abuse or
- Other unethical conduct

Concerns or allegations that raise issues routinely covered by other school policies/procedure will normally be addressed under those procedures, e.g., disciplinary, health and safety, grievance, child protection etc.

### **4. Safeguards – Harassment or Victimisation**

The Governing body are committed to good practice and high standards and want to be supportive to employees.

The Governing body recognise that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

The Governing body will not tolerate any harassment or victimisation, including informal pressures, and will take appropriate action to protect you when you raise a concern in good faith. Any investigation into allegations of potential malpractice will not influence or be influenced by any other disciplinary or redundancy procedures that already affect you.

### **5. Confidentiality**

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

## 6. Untrue Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. However, if you make an allegation that can be shown to have been made frivolously, maliciously or for personal gain, disciplinary action may be taken against you

## 7. How to raise a concern

As a first step, you should normally raise concerns with your immediate manager or the Headteacher.

This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that the Headteacher or Designated safeguarding lead is involved, you should approach the Chairman (Aatif Hassan) on [info@cavendisheducation.com](mailto:info@cavendisheducation.com) who will ensure an appropriate member of Cavendish Education takes alternative appropriate action. As the responsible officer, the Chairman will be informed of each concern that is raised under the procedure. If the Chairman is suspected of the malpractice, the Governor in charge of Safeguarding, Stephen Aiano, should be approached. Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- The background and history of the concern (giving relevant dates)
- The reason why you are particularly concerned about the situation

The earlier you express your concerns, the easier it is to take action. Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concerns. You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two or more of you who have had the same experience or concerns.

You may invite a 'friend' who is a work colleague of your choice to be present during any meetings or interviews in connection with the concerns you have raised.

The NSPCC whistleblowing helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their school or college. Staff can call 0800 028 0285 – line is available from 10:00 AM to 4:00 PM, Monday to Friday and 10am and 2pm at the weekends. However, you can email at any time: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

## 8. How your concerns will be dealt with

Once staff members have raised a concern, a nominated investigating manager will be appointed and will:

- where appropriate, give them outline information on the nature and progress of any enquiries
- if necessary, take action with the aim of protecting them from harassment or victimisation
- provide mediation and dispute resolution if appropriate
- do its best to protect their identity if they do not want their name disclosed (although this might not be possible in all cases, especially if a signed statement is needed from them in order to address the concern via another procedure, e.g. the disciplinary procedure)

- take no action against them if they raise a concern in good faith that is later confirmed to be unfounded

The nominated investigating manager will make initial enquiries (usually involving a meeting with them), to decide whether an investigation is required and what form it should take.

For example, the matter raised may:

- be resolved simply without the need for further investigation
- be investigated internally by an appropriate manager E.g. the Headteacher/a member of the Senior Leadership Team
- be referred to a relevant external agency or equivalent for advice
- be referred to the Police
- form the subject of an independent inquiry

Within ten working days of their concern being received as Whistleblowing under this Policy, the nominated investigating manager will send them a written response:

- acknowledging that the concern has been received
- indicating how they propose to deal with the matter
- giving an estimate of how long it will take to provide a final response; and/or
- indicating whether any initial enquiries have been made, and whether further investigations will take place or
- explaining the reasons for not investigating further if that is the decision and/or
- indicating when they can expect to receive further details, if the situation is not yet resolved

If their whistleblowing concern, once investigated, is confirmed as unfounded, the School/ Cavendish Education will deem the matter to be concluded and will not reconsider the matter via this or other policy unless new evidence becomes available. If the whistleblower feels that there have been errors of fact or procedure, they may re-approach the same investigating manager to raise these errors which will be reviewed.

Whilst genuine Whistleblowing is acknowledged and welcomed as helpful and contributes towards high levels of quality, staff members should note that, if there is clear evidence that they have deliberately made a malicious or false statement, disciplinary action may be taken against them.

## **9. The responsible officer**

The Chair of Governors will delegate responsibility to Stephen Aiano (Compliance Director) who has overall responsibility for the maintenance and operation of this policy.

The Compliance Director maintains a record of concerns raised and the outcomes, but in a form which does not endanger your confidentiality.

The contact details for the Compliance Director are: [s.aiano@cavendisheducation.com](mailto:s.aiano@cavendisheducation.com).