



Windlesham School
& Nursery



Whistleblowing Policy and Procedures

Reviewed: September 2024

Next Review due: September 2026

Reviewed by: Graham Rowlands-Hempel

Contents

1. Policy context and rationale	1
2. Scope	1
3. Procedure	2
4. Confidentiality	3
5. External Procedures (self reporting)	4
6. Support and advice	4
7. Protection	4

1. Policy context and rationale

The School is committed to maintaining a culture of openness, accountability and integrity. We seek to ensure that employees and workers at the School feel secure in raising concerns about any activity which may harm individuals or undermine the School. The School has adopted this Whistle Blowing Policy to provide clear guidance to those who may need to raise concerns.

This Policy applies to all School employees and those working in the School or on School premises. It also covers suppliers and those providing services under a contract with the School on their own premises. For ease of reference in this Policy those covered by it are referred to as "staff".

All staff at the School have a responsibility for whistleblowing. The purpose of this Policy and procedure is to make it clear that staff can raise concerns in confidence without fear of victimisation, subsequent discrimination or disadvantage. Staff are encouraged to raise serious concerns in the first instance within the School rather than overlooking a problem or 'blowing the whistle' outside, and it is preferred that the matter is raised when it is just a concern rather than waiting for proof. These issues will be taken seriously and treated in a confidential manner. However, the Policy also provides, if necessary, for such concerns to be raised outside the School.

2. Scope

This Policy and procedure is intended to cover concerns that fall outside the scope of other procedures, including the School's complaints procedure, grievance policy and safeguarding policy but should be read alongside them. For example, this policy should not be used for complaints relating to staff's own personal circumstances, such as the way they have been treated at work. In those cases, they should follow the grievance policy.

This Policy is intended to cover areas of concern such as the following:

1. conduct which may be a criminal offence
2. failure to comply with a legal obligation
3. dangerous procedures endangering the health and safety and welfare of pupils and staff and of other persons using the School buildings or site
4. possible damage to the environment
5. fraud, bribery and corruption and loss of income to the School
6. sexual, mental or physical abuse of pupils (although this policy should be read together with the safeguarding policy)
7. discrimination

3. Procedure

3.1 How to raise a concern

It is hoped that in most cases staff will feel able to raise concerns internally, either verbally or in writing, with the headteacher so that they may be able to agree a resolution. Where the concern relates to the headteacher the member of staff should raise the concern with the chair of governors. Any concern should be raised at the earliest opportunity possible.

The headteacher (or chair of governors) will meet with the staff member as soon as practicable to discuss their concern, recording sufficient details to enable the matter to be thoroughly investigated. As a minimum, they will record the name of the staff member but also indicate whether the individual wishes their identity to remain confidential and the nature of the concern.

It may not always be possible to maintain confidentiality and the headteacher (or chair of governors) should explain this to the staff member. In such instances, the staff member will have the choice of either withdrawing or agreeing to their identity becoming known to enable the concern to be effectively dealt with.

The member of staff should provide as much information as possible, including: dates, times and names. Although they will not be expected to provide conclusive proof of the allegation, they will need to demonstrate that there are reasonable grounds for concern.

The staff member may bring a colleague or a trade union representative to any meeting.

If an allegation is made in good faith but it is not confirmed by a subsequent investigation, no action will be taken against the person. If, however, it is found that an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken against the member of staff.

3.2 How the school will respond

Once a concern has been raised, an initial assessment will be made by the headteacher/chair of governors to determine whether the concerns which have been raised warrant any action on the part of the School. Such an initial assessment will be made within 10 days of the meeting described above.

The results of the assessment will be notified to the staff member.

The notification will include:

- acknowledgement that the concern has been received
- indicate how the school proposes to deal with the matter
- informing whether further investigations will take place and if not why not
- giving an estimate of how long it will take to provide a final response
- supplying information on staff support mechanisms, which may include confidential counselling.

The head teacher/chair of governors may consider it appropriate to refer the concern to an external agency at any time. This maybe relevant, for example, where there are concerns about child safeguarding, potential criminal activity or unsafe working practices are raised.

The amount of contact between the person considering the issues and the staff member will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the School will seek further information from the member of staff. Any meeting arranged for these purposes may be offsite, if requested.

The School accepts that all staff need to be assured that the matters will be properly addressed. Subject to legal constraints, staff who have raised the concern will be informed of the outcomes of any investigation, to an extent which does not prejudice the right to confidentiality of others concerned.

There is no right of appeal against any decisions taken under the policy by the School.

4. Confidentiality

Individuals who wish to raise a concern under this procedure are entitled to have the matter treated confidentially and every effort will be made not to reveal the identity of the member of staff, if that is their wish. It may not always be possible to maintain confidentiality and the headteacher (or chair of governors) should explain this to the staff member.

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

It is hoped that, given the protection under this policy, no concerns will be raised anonymously. If they are then they may be considered given the seriousness of the issue raised but it may impede the ability to investigate properly.

Confidentiality is a two-way process and the School would expect concerns raised through this Policy will remain confidential except as set out in this Policy.

5. External Procedures (self reporting)

Where all internal procedures have been exhausted and the staff member does not believe that the matter has been taken seriously or is being covered up they may choose to report the concern externally to an independent person/body. This may include (depending on the subject matter of the disclosure):

- HMRC
- the Health and Safety Executive
- the Local Authority (where the disclosure relates to a child protection issue).
- The Charities Commission
- a prescribed person from the following list <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

6. Support and advice

If the member of staff wishes to access advice and support, they may wish to speak to the Protect Charity <https://protect-advice.org.uk>

7. Protection

The School will not tolerate any harassment or victimisation and will take appropriate action to protect a staff member when they raise a concern.

The Public Interest Disclosure Act 1998 makes it automatically unfair to dismiss a worker because they undertook a 'protected disclosure' in good faith. For a worker to be protected under this legislation they must take reasonable steps to raise the matter internally first before going outside the organisation to raise their concern.

The disclosure will be protected if it tends to show one of the following:

- that a criminal offence has been committed, is being committed or is likely to be committed,
- that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject,
- that a miscarriage of justice has occurred, is occurring or is likely to occur,
- that the health or safety of any individual has been, is being or is likely to be endangered,
- that the environment has been, is being or is likely to be damaged, or
- that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

Any attempt to victimise a worker who has reported a concern under this procedure may be dealt with under the school's Disciplinary Procedure.