



## **LONGACRE SCHOOL**

### **WHISTLEBLOWING POLICY**

**This policy includes the Early Years Foundation Stage**

***Policy Reviewed: November 2020***

***Policy to be reviewed: November 2021***

The School has adopted this policy and procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about safeguarding and welfare issues, fraud, malpractice, health and safety, criminal offences, miscarriages of justice, and failure to comply with legal obligations or unethical conduct. The policy also provides if necessary, for such concerns to be raised outside the organisation.

This guidance is written for staff (which includes any adult, paid or voluntary worker) who works with children and young people within Longacre and is in line with the Surrey Whistle blowing Policy "Raise your concerns in a safe and protected way".

Staff must acknowledge their individual responsibility to bring matters of concern (the attitude or action of colleagues) to the attention of the Senior Leadership Team and/or relevant agencies.

#### **Reasons for Whistleblowing:**

- Each individual has a responsibility for raising concerns about unacceptable or unsafe practice or behaviour, including potential failures in the School's safeguarding procedures, provision for mediation and dispute resolution where necessary;
- To prevent the problem worsening or widening;
- To protect or reduce risk to others;
- To prevent becoming implicated yourself.

#### **Elements of the Policy**

In accordance with Lord Nolan's Second Report of the Committee on Standards in Public Life, the School's policy on whistleblowing demonstrates that the School:

- Will not tolerate malpractice;
- Respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively;

- Will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
- Will invoke the School's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations;
- Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.
- Will demonstrate fair play, even handedness and a fair hearing by peers.

## **Procedure**

This procedure is separate from the School's adopted procedures regarding grievances. Employees should not use the whistleblowing procedure to raise grievances about their personal employment situation and should follow the grievance procedure outlined in the Staff Handbook.

This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the School.

Malpractice includes, but is not limited to, allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment.

A whistleblower is a person who raises a genuine concern relating to suspected malpractice within the School. If you have any genuine concerns related to a suspected malpractice affecting any of the School's activities (a whistleblowing concern) you should report it under this procedure.

A failure to make a disclosure under this policy may be considered a disciplinary matter and all members of staff should therefore proactively implement this policy for the protection of the School and all its stakeholders.

If any person to whom this policy is relevant to is unsure whether a particular circumstance impacts on their suitability to work with children they must seek guidance under this policy from the Head.

If you don't feel comfortable or able to raise a concern with a senior member of staff, you can use an external, independent and completely confidential service provided by Expolink to make a disclosure. You can contact Expolink in the following ways:

Online: [www.expolink.co.uk](http://www.expolink.co.uk) / Whistleblowing / Submit a report.  
Our access code to submit a report is surreycc.

Telephone: 0800 374 199, which is a Freephone help line.

Email: [surreycc@expolink.co.uk](mailto:surreycc@expolink.co.uk)

Expolink staff are impartial, discreet professionals who will maintain your anonymity and confidentiality at all times. Calls are not traced or recorded and you do not need to disclose personal information.

If you prefer to share your concerns in writing, please write to the Head and please provide as much detail as possible to help the School address your issue quickly and effectively.

### **How to Raise a Concern:**

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken;
- Try to pinpoint exactly what practice is concerning you and why;
- You should put your concerns in writing, outlining the background, history, giving names, dates and places where you can;
- You will not be expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern;
- If your concern relates to a safeguarding issue, inform the DSL or Head immediately, who will then contact the Local Authority Designated Officer (LADO);
- If your concern is about the DSL, contact the Head;
- If your concern is a safeguarding concern about the Head, contact the Chair of Governors, or, if you feel you need to take it to someone outside the School, contact the Local Authority Designated Officer;
- Make sure you get a satisfactory response in line with the procedures outlined in the Safeguarding Policy; The NSPCC Whistleblowing Helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 from 8am to 8pm Monday to Friday or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

### **What Happens Next**

- You should be given information on the nature and progress of any enquiries;
- Longacre has a responsibility to protect you from harassment or victimisation;
- No action will be taken against you if the concerns prove unfounded but were raised in good faith;
- Malicious, vexatious or frivolous allegations may be considered as a disciplinary offence of the person making the allegation;
- We recognise that whistleblowing can be difficult and stressful. Advice and support is available from your line manager, Head and/or your trade union.

### **Confidentiality**

Employees who wish to raise a written concern under this procedure will have the matter treated confidentially. Their name will not be disclosed to the alleged perpetrator of malpractice without their prior written approval. Where concerns are raised verbally rather than in writing, confidentiality will be maintained where possible, although all parties using this policy are encouraged to express their concern in writing wherever possible. If there is evidence of criminal activity then the Police will in all cases be informed.

## **The Investigation**

A member of staff will be at liberty to express their concern to the Head about a whistleblowing concern raised under this policy.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The member of staff making the allegation will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the Resolution.

A member of staff who is not satisfied that their concern is being properly dealt with will have a right to raise it in confidence with the Chair of Governors.

## **External Procedures**

Where all internal procedures have been exhausted and where a resolution has not been achieved, a member of staff shall have a right in certain circumstances to access to an external body/person. This may include (depending on the subject matter of the disclosure) HMRC, the Audit Commission, the Health and Safety Executive and/or the LADO (where the disclosure relates to a child protection issue). A member of staff may also have the right under the Public Interest Disclosure Act 1998, to raise a concern directly with an external body where the employee reasonably believes:

- That exceptionally serious circumstances justify it;
- That the School would conceal or destroy the relevant evidence;
- Where they believe they would be victimised by the School;
- Where the Secretary of State has ordered it.

Before a member of staff considers referring a matter under the Public Interest Disclosure Act 1998, they must have discussed the matter fully in confidence with either the Head or the Chair of Governors.

## **Malicious Accusations**

Malicious, vexatious or frivolous accusations will be dealt with under the School's Disciplinary Procedure.

## **Protection from Reprisal or Victimisation**

No member of staff will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and follow these Whistleblowing procedures.

## **Amendments and updates to this policy**

Any suggestions for future amendments to this policy should be fed back to the Deputy Head for consideration.