



## 5.1 App2

### WHISTLEBLOWING POLICY

- 1 **Wrongdoing at work:** This procedure is designed to deal with disclosure of information by an employee which relates to some danger, bribery, corruption, fraud or other unlawful or unethical conduct in the workplace. 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 subjected to any detriment or from being unfairly dismissed as a result. This procedure is available to all employees 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 employees, 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 you concern has finished or has not yet started.
- 2 **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, September 2016). In particular:
  - 2.1 **Safeguarding / Child Protection Policy:** You 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.
  - 2.2 **Safeguarding - member of staff:** You should raise any concerns about another staff member with the Head, or if the concern is about the Head, with the Chair of Governors (without first notifying the Head) in accordance with the procedures in Appendix 4 of the School's Child Protection and Safeguarding Policy and Procedures.
  - 2.3 **Whistleblowing Policy:** You 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 you are concerned that the School's Child Protection and Safeguarding Policy and Procedures are not being followed correctly.
  - 2.4 **Children's Social Care:** 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 Children's Social Care immediately.
- 3 **Exit interviews:** All staff are trained so that they understand they are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment in

accordance with this policy. Safeguarding children is at the centre of the School's culture and is considered formally during staff performance development reviews and appraisal and finally at exit interviews which are held with all leavers. Staff who raise concerns about working practices at the School to the Designated Safeguarding Lead or an appropriate senior member of Staff will be protected from detriment under this policy.

4 **Grievances:** This procedure should not however be used where you have a complaint relating to your personal circumstances in the workplace. The Grievance Procedure contained in the Employment Manual should be used in such cases.

5 **Detriment:** Provided that this procedure is used appropriately and correctly, you 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 you by this procedure may be lost.

### Stage one

6 **Procedure:** You should disclose the suspected wrongdoing first to your Head of Department. In the event that your Head of Department is involved in the suspected wrongdoing, you shall be entitled to proceed directly to Stage Two of this procedure.

7 **Response:** You can expect a response detailing to whom the disclosure has been notified or any action taken within seven days of your Head of Department becoming aware of the disclosure.

### Stage two

8 **Procedure:** If no response is forthcoming after seven days or if your Head of Department is involved in the suspected wrongdoing you shall be entitled to notify the Head or the Bursar, as appropriate.

9 **Response:** You can expect a response detailing any action taken within seven days of the Head or the Bursar becoming aware of the disclosure.

### Stage three

10 **Procedure:** If no such response is forthcoming you should inform the Chair of Governors of the disclosure.

### Stage four

11 **Outside body:** If you do not receive a response within seven days you shall be entitled to notify a relevant and appropriate body outside the School which may include:

11.1 the Local Authority Designated Officer;

11.2 Children's Social Care;

11.3 the NSPCC Whistleblowing Helpline;

11.4 the Health and Safety Executive;

11.5 the Environment Agency;

11.6 the Information Commissioner;

11.7 the Department for Education (**DfE**);

11.8 the Department for Business, Enterprise and Regulatory Reform;

11.9 the Police;

- 11.10 the Charity Commission;
- 11.11 the Independent Schools Inspectorate (ISI) – (The Downs School)
- 11.12 OFSTED (within 14 days) – (Bertie’s Nursery)
- 11.13 the Channel Police Practitioner
- 12 **NSPCC:** 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 (8am-8pm Monday-Friday) **or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk)**.
- 13 **Bypassing the procedure:** In extreme circumstances you will have the right to raise your 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 your own duty of confidentiality towards the School and this action should only be taken in extreme circumstances and after careful thought.
- 14 **Extreme circumstances:** The School will consider extreme circumstances exist where you have a reasonable belief that: the School will subject you to detriment if you inform your Head of Department in accordance with Stage one above or if you inform the Head or the Bursar in accordance with Stage two or you inform the Chair of Governors in accordance with Stage three; a cover-up is being mounted by the School; or a disclosure made previously to your Head of Department or the Head or the Bursar or the Chair of Governors in accordance with the stages above has not prompted a satisfactory response.
- 15 **The media:** Even where extreme circumstances are thought to exist, you should under no circumstances approach a commercial body or the media with details of the suspected wrongdoing. If you approach any such body and / or where your concern is disclosed for personal gain, the School may consider this to be gross misconduct and immediate disciplinary action may be taken against you.
- 16 **Queries:** If you have any queries about this procedure, you should contact the Head or the Bursar.
- 17 **Monitoring:** This policy is reviewed in line with regular updates in the School’s Employment Handbook, supplied by Veale Wasbrough Vizards Solicitors.

This policy was adopted on	Signed on behalf of the nursery	Date for review
22/09/2019	T Westray	1/11/2020

Overview required by Safeguarding & Risk and Regulatory Committee - date	Policy upload to ISI Portal - date	Policy uploaded to website(s) - date
01/11/2020	01/05/2020	01/05/2020