

Whistle-blowing policy

Clarity Independent School

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Clarity Independent School is committed to safeguarding...

"Our school is committed to our whole-school approach to safeguarding, which ensures that keeping children safe is at the heart of everything we do, and underpins all systems, processes and policies...We promote an environment where children and young people feel empowered to raise concerns and report incidents and we work hard in partnership with pupils, parents and caregivers to keep children safe."

Clarity Safeguarding Policy September 2024

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Head Teacher and Proprietor

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For the purposes of this document the term ‘the school’ will refer to ‘Clarity Independent School’ and the proprietor and Headteacher; Debbie Hanson.

1. Aims

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Let all staff in the school know how to raise concerns about potential wrongdoing in or by the school
- Set clear procedures for how the school will respond to such concerns
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue – See section 6)
- Encourage an ethos that puts the safety and wellbeing of its pupils and staff first

- Encourage an awareness that outstanding professional conduct is an expectation for all adults within and associated with the school

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the school in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

2. Legislation

This policy has been written in line with the [government guidance on whistle-blowing](#). We also take into account the [Public Interest Disclosure Act 1998](#). In addition, this policy and the linked Safeguarding Policy also adhere to the DfE's [Keeping Children Safe in Education guidance](#) Part 4: Safeguarding concerns or allegations made about staff, including supply teachers, volunteers and contractors. In the event of a safeguarding concern regarding a pupil, the person raising the concern should also follow the procedures stated in the Safeguarding Policy.

This policy complies with our funding agreement through the National Schools Contract and articles of association.

3. Definition of whistle-blowing

Keeping Children Safe in Education Part 3: Safer Recruiting, details how to manage cases of concerns / allegations that might indicate a person could pose a risk of harm if they continue to work in their present position or in any capacity with children in a school or college.

Whistleblowing applies where it is alleged that anyone working in the school has:

- Behaved in a way that has harmed a child, or may have harmed a child and / or
- Possibly committed a criminal offence against or related to a child, and / or
- Behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children, and/or
- Behaved, or may have behaved, in a way that indicates they may not be suitable to work with children

Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest". Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption

- Pupils' or staff health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the school count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance and should follow our Grievances Procedure detailed in the staff handbook.

When staff have a concern, they should consider whether it would be better to follow our staff grievance procedures.

Protect (formerly Public Concern at Work) has:

- [Further guidance](#) on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure
- A free and confidential [advice line](#)

4. Procedure for staff to raise a whistle-blowing concern

4.1 When to raise a concern

Staff should consider the examples in section 3 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or school procedures, put people in danger or was an attempt to cover any such activity up.

In relation to examinations, whistleblowing should occur at any time where there is evidence of or suspected malpractice that breaches regulations set by the JCQ or awarding body. In these cases, the school will comply with the regulatory procedures and will report such occurrences in the specified manner.

4.2 Who to report to

Staff should report concerns about the conduct of a member of staff or external professional or contractor working in association with the school, directly to the Headteacher, even by phone if the Headteacher is off site, (or in *exceptional circumstances* the Deputy Headteacher if the Headteacher is unavailable for work). If the concern is about the Headteacher, or it is believed they

may be involved in the wrongdoing in some way, the staff member should report their concern directly to the Local Authority Designated Officer (LADO). The LADO number is displayed on the staffroom notice board and forms an appendix on the School Safeguarding Policy.

If required during the process, staff can request emotional support from the Deputy Head and DSL, or contact one of the external bodies listed for support in Section 7.

4.3 How to raise the concern

Concerns should be made in writing wherever possible and confidentially as soon as they are experienced. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter. This should be taken to the Head Teacher in person to begin the process.

5. School procedure for responding to a whistle-blowing concern

5.1 Investigating the concern

When a concern is received by the Headteacher (or Deputy Headteacher as stated in Section 4.2) - referred to from here as the 'recipient' - they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may wish to be joined by a trade union or professional association representative, although there is no legal right to do so.
- Get as much detail as possible about the concern at this meeting and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure.
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy).
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
 - The recipient should then arrange a further investigation into the matter, involving the Headteacher or DSL, if appropriate.
 - (In the case of a minor concern, a learning conversation will take place (using the template within the Appendices) between the staff member subject of the concern, and the Head Teacher, to develop the staff member's practice.)
 - In some cases, they may need to bring in an external, independent body to investigate. In other cases, they may need to report the matter to the police.

- The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps.

5.2 Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified, and whether or not a referral is required to an external organisation, such as LADO or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the Head Teacher, DSL and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

6. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the school will consider whether any disciplinary action is appropriate against the person making the allegation.

7. Escalating concerns beyond the school

The school encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body depending on the nature of the concern. A list of prescribed bodies to whom staff can raise concerns with is included [here](#).

The Protect advice line, linked to in section 3 of this policy, can also help staff when deciding whether to raise the concern to an external party.

In addition, the NSPCC offer a Whistleblowing Advice Line to support professionals who are worried about how child protection issues are being handled in their workplace. Telephone 0800 028 0285, email help@NSPCC.org.uk or follow this link: <https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/>

8. Approval

This policy will be reviewed as a minimum every three years.

These procedures have been agreed and approved by the proprietor and Headteacher, Debbie Hanson.

9. Links with other policies

This policy links to:

- Safer Recruitment Policy
- Professionals Contracting in and Visitors' Policy
- Complaints policy
- Grievance procedure
- Children's Rights policy
- Safeguarding policy
- Staff Handbook
- Quality Assurance and Performance Management policy
- Equality policy
- Malpractice for Exams Policy

Appendix 1: Template used for Learning Conversation: to Take Place Following Internal Report of Staff Underperformance / Unsafe Practice

Learning Conversations and Records of Concern				Staff member's name:
Date	Behaviour(s) causing concern	What action has been taken?	Overview of action (LADO involved?)	Evidence of change
	<i>Staff held onto arm of Year 6 child's coat to steer them back to the classroom</i>	<i>1.Reflective conversation 2.Management advice given 3.Staff member reviewed Code of Conduct and Management of Behaviours Policy</i>	<i>1,COC signed as read 2.Management of Behaviours policy signed as read and understood 3.Reflective conversation on staff members' understanding of the support available to her.</i>	<i>Staff member able to articulate how situation may be otherwise dealt with.</i>