



Our Lady's Preparatory School and Day Nursery

Whistleblowing Policy 2.5

Background to the Policy and Our Lady's Commitment

The priority for all staff working at Our Lady's has always been ensuring that the children in the nursery and pupils in the school are safe, happy and receiving the best possible care and education. The management team at Our Lady's seek to foster a culture of openness and communication, so that staff feel valued and able to comfortably approach the Headteacher with any problems or concerns. The reporting of any concern that any employee may have about illegal or improper conduct by another member of staff or other adult working at Our Lady's will always be treated with utmost gravity and in a transparent and accountable manner.

This policy document explains the procedures at Our Lady's should any member(s) of staff wish to raise a concern about the behaviour of an adult working at the nursery / school.

The procedure is designed to enable such employees to notify the Headteacher of any reasonable suspicion of illegal or improper conduct relating to:

- crime
- a miscarriage of justice
- illegality
- failure to comply with a statutory or legal obligation
- potential maladministration, misconduct or malpractice
- health and safety
- environmental or property damage
- unauthorised use of public or other funds

- fraud or corruption
- breaches of financial regulations or policies
- mistreatment of any person
- action that has caused or is likely to cause physical danger to any person or risk serious damage to school property
- sexual, physical or emotional abuse of members of staff or pupils
- unfair discrimination or favouritism
- racist incidents or acts, or racial harassment
- concealing or attempting to conceal any of the above.

This policy provides additional information to help staff to understand the role of whistleblowing in the context of poor practice and unacceptable conduct and attitudes towards children.

When to Use the Whistleblowing Policy

The whistleblowing procedures set out in this policy may be used by anyone employed by the school in a paid or voluntary capacity who believes they have reason to suspect that the conduct of an employee towards a child or pupil is inappropriate.

Inappropriate conduct includes but is by no means limited to the following:

- bullying or humiliation
- contravening health and safety guidelines
- serious breaches of the school's code of ethical practice
- professional practice that falls short of normally accepted standards of conduct
- compromising pupils' welfare but in a way that does not meet the threshold for child protection intervention.

Please be aware that concerns which appear to meet the threshold for child protection will be managed through the Child Protection (Safeguarding) Policy (and related policies as applicable).

Reasons for Blowing the Whistle

Staff may be reluctant to report a concern about the conduct of a colleague. However, each individual must take responsibility for ensuring that pupils are fairly treated. If poor practice

is allowed to continue unchecked, it could escalate with serious consequences. A member of staff's action not only protects children / pupils, but also deters any suggestion that there has been any collusion with poor practice that the member of staff knew was occurring but chose to ignore.

Whistleblowing can also support the member of staff who is the subject of the concern. Their conduct may result from inexperience or lack of training that can be addressed by the school, or they may be under stress and be relieved when their conduct is discussed.

Staff who deliberately fail children / pupils and show no remorse or desire to improve are unlikely to welcome being exposed, but their conduct has to be confronted for the sake of the children / pupils and the reputation of Our Lady's as a whole.

Barriers to Whistleblowing

A member of staff may worry whether they have insufficient evidence to raise a concern, that they will set in motion a chain of events, that there will be adverse repercussions for their career, that they may suffer harassment or victimisation, or that your suspicion or concern might be totally misplaced.

These concerns are entirely understandable but you can be reassured that whistleblowing procedures address these very issues.

The Public Interest Disclosure Act 1998 protects employees from reprisals for public interest whistleblowing, as follows:

- An employee is entitled not be subjected to any detriment by virtue of having made a protected disclosure.
- The dismissal of any employee directly due to the individual having made such a disclosure will automatically be deemed unfair
- Disciplinary action will not be taken against someone who raises a concern "in good faith".

Untrue and Malicious/Vexatious Allegations

If a member of staff makes an allegation in good faith but it is not confirmed by further inquiry, the matter will be closed and no further action taken.

If, in the event the inquiry evidences that such untrue allegations were malicious and/or vexatious or made for personal gain then the school will consider taking disciplinary action against the member of staff.

Confidentiality and Anonymity

All concerns are treated in confidence and, as far as possible, the identity of the whistleblower will not be revealed if that is their wish. However, absolute confidentiality cannot be guaranteed if, as a result of an investigation the member of staff is required to provide a witness statement or attend a court hearing.

Staff members can, if preferred, raise their concern anonymously. The school would need to decide whether the levity and credibility of the concern warrants investigation if the source of the concern and the key evidence is not readily available. The school will fully support any staff members who do raise a concern under this policy and do all it can to protect them from any harassment or adverse repercussions that may arise from whistleblowing.

Reporting Procedure

It may help if a member of staff writes down in detail, for personal benefit, what you have observed or heard that is causing alarm. One useful way to decide whether any concern should be reported, is to consider whether the staff member would want the conduct of this member of staff to continue unchecked if your own child or another young family member was involved. The staff member may raise their concern verbally or in writing.

Staff members should report any concerns covered by this policy directly to the Headteacher.

If the Headteacher is the subject of your concern, the staff member should speak to the relevant Trustee contact for whistleblowing: Yvonne Nichols (telephone 01344 487682).

The staff member may request that a friend, colleague or union representative may accompany them to the initial reporting meeting if they wish. The Headteacher or Trustee will inform the staff member of their proposed action and agree a date for a second meeting.

Subsequent timescales will depend on the complexity of the initial inquiry but the case should not be allowed to stall and initial feedback should be issued within 10 working days. The timescale for subsequent feedback should then be agreed. Clarification about confidentiality will be provided and the staff member can request that their wishes regarding the protection of their identity (if applicable) recorded.

Process and Outcome

- The Headteacher or Trustee will make enquiries to establish the facts of the matter and whether poor practice or inappropriate conduct has occurred.
- Members of the school community, including Trustees, may be asked to provide information or advice.

- External advice, for example, from legal or human resources advisers or children’s services may be sought.
- A written record of the conduct, established facts and outcome of the inquiry will be prepared and retained
- The whistleblower will be kept informed of the progress of the inquiry.

The outcome of the inquiry will be one of the following:

- No poor practice or wrongdoing is established and the case is closed.
- The concern has some substance and the subject of the concern will receive advice and support from the Headteacher to improve practice (with relevant training to be provided where required).
- Poor practice or wrongdoing is established and disciplinary proceedings are initiated.
- The concern is more serious and an investigation is initiated. This investigation may involve the local authority’s legal team, children’s social care or the police.

If, at any stage in the process, there is reason to believe that a child is at risk of significant harm, children’s social care will be immediately involved.

Further Action

If you raise a concern and you are dissatisfied with either the way it is managed or with the outcome, you may contact the governing body or local authority for advice.

Alternatively you can seek advice from your union or professional association, a solicitor, children’s social care or Public Concern at Work (PCaW), a registered charity that offers free and confidential legal advice on workplace malpractice.

Public Concern at Work

Suite 301, 16 Baldwins Gardens

London, EC1N 7RJ

Reviewed: September 2017

Signed:



Helene Robinson

Headteacher

To be reviewed: 24 months from “Reviewed” date