

# Whistleblowing Policy



<b>Approved by:</b>	Sally O'Connor (Centre Manager) Pete Davies (Teaching & Learning Manager) Penny Harris (Director) Jane Cox (Director)	<b>Date:</b> 1 <sup>st</sup> October 2018
<b>Last reviewed on:</b>	1 <sup>st</sup> October 2018	
<b>Next review due by:</b>	1 <sup>st</sup> October 2019	

All policies are generated and reviewed with an awareness of equality and diversity in relation to pupils, staff and visitors. All policies are generated and reviewed placing safeguarding at the heart of all that we do.

## Related policies

- Safeguarding and Child Protection Policy
- Staff Code of Conduct Policy
- Dealing with Allegations against Staff Policy
- Employee Handbook

Contacts		
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Local Authority Designated Officer (LADO)		Search 'Making a Designated Officer Referral' on the Northants LSCB website - online form
NSPCC whistleblowing helpline		0800 028 0285 help@nspcc.org.uk

## 1. Introduction

Whistleblowing is the disclosure of information which relates to suspected wrong doing or dangers at work. This may include:

- Criminal activity
- Miscarriages of justice
- Danger to Health and Safety
- Damage to the environment
- Failure to comply with legal, professional or regulatory requirements
- Bribery
- Financial fraud or mismanagement
- Negligence
- Breach of internal policies or procedures
- Conduct likely to damage the school's reputation
- Unauthorised disclosure of confidential information
- Concerns about the harm or risk of harm to children
- Deliberate concealment of any of the above matters

Everyone working at this school must acknowledge their individual responsibility to bring matters of concern to the attention of senior management and/or relevant agencies. Whistleblowing covers all types of wrongdoing either due to the actions of an individual person or a failure in systems or procedures.

On Track is committed to the highest possible standards of openness, professionalism and accountability. In line with that commitment we expect staff and volunteers, who have serious concerns about any aspect of their work, to voice those concerns.

This policy makes it clear that staff should be able to raise genuine concerns without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing Policy is intended to encourage and enable staff to raise serious concerns rather than overlooking a problem or 'blowing the whistle' outside, although in very serious cases it may be necessary to report concerns to outside agencies.

This policy is separate from the grievance procedure, which is used when a member of staff has a complaint about his/her personal circumstances at work.

## 2. Policy Aims:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- to provide staff with guidance as to how to raise those concerns; and
- to reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistake.

## 3. Raising a Whistleblowing Concern:

The earlier a concern is reported, the sooner it can be investigated and the easier it will be to take action. Concerns should be raised in the first instance, with the Head teacher and in most cases, the matter will be dealt with at that stage.

If the concern relates to the Head teacher, or if the Head teacher does not take appropriate action to resolve the issue, the concern should be referred to one of the Directors.

If a staff member raises a concern orally they will be asked to supply written details as follows:

- A background and history to their concern
- The key events, including names, dates, times and places
- The reasons why they are particularly concerned about the situation
- Whether the staff member has any direct personal interest in the matter

*If a concern is raised in relation to a member of staff who has behaved in a way that has harmed or may harm a child, committed a criminal act against or related to a child or behaved in a way that indicates he/she poses a threat to children, the Head teacher or director receiving the allegation or aware of the information will immediately inform the DSL, who will immediately refer to the LADO. The Child Protection and Safeguarding Procedures will be followed in these circumstances.*

Once a whistleblowing concern has been reported and written details provided, there will be an initial assessment by of what action should be taken. This may involve an internal enquiry or a formal investigation.

The member of staff will be informed in writing within five working days of:

- who will be handling the matter
- how it will be handled
- an estimate of how long the process will take
- whether any further assistance is needed from the staff member

#### **4. Support**

On Track is committed to being supportive of staff who wish to report a concern. If a member of staff believes that what he/she is saying is true, they should have nothing to fear as he / she will be doing their duty to the school and the pupils.

Bullying, harassment or victimisation (including informal pressures) by other members of staff towards someone who raises a concern, will not be tolerated.

All staff members have access to Care First for additional support and can find detail of how to access this support in the staff handbook.

#### **5. Confidentiality**

All concerns should be treated in confidence and every effort will be made not to reveal the identity of a member of staff or volunteer if they so wish. At the appropriate time, however, they may need to be a witness, for instance if the matter leads to a disciplinary hearing or a criminal prosecution.

In some cases, confidentiality may not be possible, for example when reporting abuse or a criminal offence, as action may need to be taken. Staff should be consulted if it does become necessary to reveal their identity. If there is an unauthorised disclosure of someone's identity, disciplinary action may be taken against that individual.

#### **6. Anonymous Allegations**

Whenever possible, staff should be prepared to put their name to an allegation. Concerns expressed anonymously are much harder to investigate, but will be considered by senior managers in the organisation. In exercising this discretion the factors to be taken into account would include:

- The seriousness of the issues raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources.

#### **7. Untrue Allegations**

If a member of staff or volunteer makes an allegation in good faith, but it is not confirmed by the investigation, no action should be taken against them. If, however, an employee makes an allegation frivolously, maliciously or for personal gain, disciplinary action may result.

## **8. Outcomes**

Subject to any legal constraints, such as the duty of confidentiality owed to somebody else, the staff member will be informed of the final outcome of any internal investigation.

If the member of staff is not satisfied with the final outcome, they have exhausted avenues within On Track including the Directors, they have a right to take the matter outside and whistleblow externally. This could include:

- The Department for Education
- Ofsted
- The Local Authority Designated Officer
- NSPCC Whistleblowing helpline
- HMRC
- The Police

## **9. Records**

On Track keeps a record of concerns raised under this policy to enable it to monitor the effectiveness of its policies and practice in dealing with concerns and consider what can be done to prevent similar incidents in the future. The information recorded in the register is the details of the concern raised, the outcome and any issues arising. The name of the whistle blower will not be included in the register.

*"Absolutely without fail- challenge poor practice or performance. If you ignore or collude with poor practice it makes it harder to sound the alarm when things go wrong"*

(reproduced with acknowledgement to "Sounding the Alarm" – Barnardos)

## **10. Review**

In order to ensure that this policy is relevant it would be helpful to receive feedback. If you have any comments to make, or suggestions for additions or amendments, please email [directors@ontrackededucation.com](mailto:directors@ontrackededucation.com)

### **Previous reviews and revisions:**

September 2009  
Reviewed March 2010  
Revised August 2010  
Reviewed September 2011  
Reviewed October 2012  
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Revised January 2014  
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