



Whistleblowing Policy

Version 1:0

Date Released: January 2023

Date to be reviewed: January 2024

Approved by:

Date:

Introduction

- The Sallygate School recognises the vulnerability of the children and young people in its care and is committed to operating to the highest standards of transparency, integrity and accountability. We want to ensure there are no barriers in the way of staff raising legitimate concerns about the welfare of any child or group of children for whom we have a responsibility. Whilst this policy does cover other areas the protection of children is at its heart.
- The contract of employment commits employees to confidentiality with respect to the affairs of the School. However, where an individual genuinely believes that he or she has discovered abuse, serious malpractice or corruption, e.g. fraud, within the school this Policy provides a mechanism for this information to be disclosed internally and gives guidance as to whom this should be disclosed without fear of reprisal, victimisation or dismissal.
- Under the Public Interest Disclosure Act 1998, employees who speak out against corruption and malpractice at work have statutory protection against victimisation and dismissal.
- The earlier a concern is raised the quicker and easier it is to take appropriate action.
- **Concerns will be taken seriously and treated with the utmost confidentiality and sensitivity. Employees are, however, encouraged to put their name clearly to any allegation. Concerns expressed anonymously are not so credible, and any action taken will be at the discretion of the company after considering the seriousness and credibility of the concern.**
- **Where an employee wishes to remain anonymous, the school will view this sympathetically. However, there may be circumstances where it is necessary for the employee to be named in order that a necessary investigation may proceed, or, unavoidably, the identity of the employees may be uncovered during the investigation.**

Scope

- This policy applies to all employees of the school carrying out work for the school.
- This policy can be applied to contractors working for the school.
- This policy provides a mechanism for reporting incidents of malpractice or corruption that cannot be reasonably or effectively dealt with, initially, by other procedures. However, such procedures as the Disciplinary, Grievance or Equal Opportunities policy may later be invoked if appropriate to do so.
- This policy includes the protection afforded to a person, or persons, raising concerns of health & safety at work.

- Concerns covered by this Policy include, but are not limited to the following:
 1. Physical, sexual, verbal or any other abuse towards children and young people
 2. Criminal activity
 3. Improper conduct or unethical behaviour; Financial malpractice, corruption, fraud
 4. Failure to comply with a legal obligation or Statutes; A danger to the health & safety of the individual; Damage to the environment
 5. A miscarriage of justice
 6. A concealment of any of the above.

General

- Any disclosures made to merely create mischief or disruption fall outside of the Act, and, in such circumstances, an employee may be subject to disciplinary action under the School's Disciplinary Policy & Procedure.
- A disclosure may be reported to the employee's line manager in the first instance. Where the concern is of a particularly serious nature, then the disclosure may, more appropriately, be made to a Director of Channels and Choices (See section Raising Concerns).
- Any investigation will normally be carried out either by the Headteacher or his/her delegate. However, where the disclosure is viewed by the school as particularly serious, an investigation will be carried out by a member of Channels and Choices. (See section Raising Concerns).
- Where the employee who has made the disclosure believes that the complaint has not been dealt with by the school that person should ensure that a Director is aware of these concerns. The Director will then investigate the disclosure, take any necessary action and feedback to the person. Only after the person has taken this course of action may she/he make wider disclosures in the following circumstances:
 1. the employee making the disclosure genuinely believes that the complaint is exceptionally serious
 2. the concern is not raised through any other method mentioned above because the worker I employee is reasonably concerned that she I he would be victimised
 3. the employee reasonably believes that there would be a cover-up
 4. after being raised internally the employee does not believe that the concern was dealt with properly
- Subject to previous point above, and all internal routes have been followed the wider disclosure may be made to:
 1. the Police

2. Commission for Social Care Inspection (CSCI) Department for Education and Skills (DfES) Office for Standards in Education (OFSTED) H&S Executive
3. Inland Revenue
4. The Audit Commission
5. Local Member of Parliament or Government Minister

Raising Concerns

- An employee raising a concern should go via the normal reporting channels, unless he/she believes that his/her manager is involved. In these circumstances the employee should go to that manager's line manager.
- Where the concern is about the Headteacher, the matter should be raised with Ross Barnett, Director, Channels and Choices.

The Appointment

- The manager to whom the concern has been reported, will arrange an initial interview with the employee when he / she will be:
 1. reassured of protection from possible victimisation
 2. asked if he / she wishes his / her identity to be disclosed. Where an employee does not wish his / her identity to be disclosed the manager will discuss the emboldened points, in the Introduction of this Policy, with the employee
 3. asked if he / she wishes to make a written or verbal statement; if a verbal statement is being made, this should be recorded in writing by the line manager and the employee should sign and date this. Where a written statement is made by the employee, he / she should sign and date the written statement
 4. be made aware of the possible consequences of falsifying information
 5. The employee may be accompanied by a colleague, or their trade union representative
 6. The manager would then write a summary of the interview which should be agreed and signed by both parties
 7. The manager will arrange a time to meet with the employees within 14 days of being notified of the concern to provide feedback as appropriate. The feedback may be constrained by a duty of confidentiality if for example it involved confidential information on a child or another member of staff. If necessary, a follow-up meeting will be arranged, e.g. in the event that the outcome of the investigation is not known at this time

8. The manager will ensure that his / her line manager, and senior manager, and relevant Director if appropriate, is fully apprised of the concerns

Induction

- An investigation will normally commence within 5 working days of notification of the disclosure
- In exceptional circumstances it may be necessary to carry out certain investigations without the employee under investigation being informed until necessary. In certain cases, suspension from work may have to be considered immediately

Following The Investigation

- The appropriate manager will meet with the person making the disclosure and provide feedback on any action taken, without breaking confidentiality of, e.g. disciplinary action
- In exceptionally serious matters, the matter will be referred to other/ additional Directors and a decision made whether to involve external authorities will be made and actioned accordingly

False Allegation I Public Disclosure

- Where a false allegation has been made with malicious intent, disciplinary action may be taken against the employee making the allegation
- The School and Channels and Choices reserves the right to act against an employee who goes public when it is unreasonable for them to do so

Dissatisfaction with the Outcome

- Should an employee remain dissatisfied with the outcome of the investigation, this should be raised with the Headteacher. In circumstances where the employee is dissatisfied, then the employee may raise the matter with Ross Barnet, Director, Channels and Choices
- If the disclosure involves the Headteacher, an employee who is dissatisfied with the outcome of the investigation should raise the matter with the Directors, Channels and Choices
- Where the person making the disclosure continues to be dissatisfied with the outcome, he / she may make a disclosure, subject to the last two points in the General Section of this policy, having been closely followed by that person.'