



WESTHOLME SCHOOL

Unrivalled Holistic Excellence

WHISTLEBLOWING POLICY

Reviewed: **September 2023**
Date of next review: **September 2024**
Produced by: Principal & Senior Deputy Head

Cross referencing -
To be read in conjunction with the following policies:
Safeguarding Policy
Safer Recruitment Policy
Staff Code of Conduct
Complaints Policy
Blackburn with Darwen Borough Council procedures
KCSIE (September 2023)

Monitoring, evaluation and review

The school will review this policy annually and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the school.

Confidential Reporting Policy and Procedure

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1. Introduction

Westholme School is dedicated to providing the utmost care for its pupils and staff. We aim to ensure that all members of the school community feel safe in the knowledge that they can voice any concerns in confidence and that they will be taken seriously and dealt with appropriately.

Staff who are concerned about the conduct of a colleague towards a pupil are undoubtedly placed in a very difficult position. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career. All staff must remember that the welfare of the child is paramount. This policy enables staff to raise concerns or allegations in confidence and for a sensitive enquiry to take place. Westholme School takes responsibility for ensuring that all staff are aware of the Confidential Reporting policy and procedures, and made to feel comfortable that they can voice their concerns no matter what the circumstances.

Explanation of staff responsibility is outlined in the Staff Code of Conduct and is included within all Induction procedures from EYFS throughout the School. This applies to teaching and support staff.

As part of Safeguarding, training and briefings staff are clearly informed that it is their professional responsibility to raise ANY safeguarding or child protection concerns about any child. Not to do so in itself is a breach of professional duty and could be subject to disciplinary proceedings. In line with Childcare updated regulations this could also apply to knowledge of disqualification by association – see Safer Recruitment and Safeguarding policies for details.

This policy also applies to EYFS.

2. Definition of 'whistleblowing'/confidential reporting

Whistleblowing inside the workplace is defined as the reporting by workers or ex-workers of wrongdoing, such as fraud, malpractice, mismanagement, breach of health and safety law, or any other illegal or unethical act either on the part of management, the Governing Body or fellow employees. Workers may include volunteers, contractors and outside agencies or others.

The complaint must be a 'qualifying disclosure'. This is any disclosure of information which 'in the reasonable belief of the employee/worker' making the disclosure tends to show that one or more of the following has occurred, is occurring, or is likely to occur:

1. A criminal offence (the offence can be minor or serious)
2. A failure by a person to comply with any legal obligation to which he or she is subject.
3. A 'miscarriage of justice'
4. Danger to the health or safety of any individual
5. Damage to the environment
6. The deliberate concealment of information about any of the above.

3. Reporting concerns to the school

If you have a concern about another member of staff, you should report it to a member of the school leadership team, the designated person for safeguarding (DSL) or the Principal. Concerns about the Principal should be reported to the Chair of Governors, Mr Brian Marsden (chairman@westholmeschool.com), or Safeguarding Governor.

All concerns will be listened to and taken seriously by the school. If you are in any doubt as to whether a concern is valid, you should report it, and the school can decide to what extent it needs to be investigated. A disclosure may be written or verbal but must be more than a mere statement it should convey facts.

Staff can also request advice from the NSPCC whistleblowing helpline - 0800 028 0285.

4. Wider disclosure

We encourage all our staff to follow the internal procedures outlined in this policy, but understand that in some cases some may feel it is necessary to take your concerns to external authorities – this could be the police, Social Services or the LADO for example. This should, however, be done only as a last resort. Staff should only approach external authorities regarding their concerns without discussing them internally first if:

- they feel that they are being discriminated against and that there is no internal authority that can be contacted with trust
- they reasonably believe that they will be victimised if they follow internal procedures for whistleblowing
- they believe that the concern that they have raised has not been taken seriously or acted upon correctly.

The authorities that may be of help to you are:

- Children’s Services (if the matter is about child protection or safeguarding issues)
- Police
- PREVENT
- Health & Safety Executive
- Relevant professional bodies or regulatory organisations
- Ofsted or ISI
- LADO

In addition, a disclosure of ‘exceptionally serious’ information can be made to any appropriate person (without raising internally first) if the following conditions are met:

- the disclosure must not be for personal gain
- the employee must reasonably believe that the information and any allegation contained in it are substantially true
- the information relates to a matter which is 'exceptionally serious'.

5. Confidentiality

All concerns will be treated in confidence, and the school is committed to protecting the identity of whistleblowers as far as is possible. However, in some circumstances it may not be possible to do this, for example: if it will prevent a thorough investigation taking place; if there is reason to reveal the name by law or if the whistleblower has to give evidence at any hearings. In cases where identities are revealed for whatever reason, the school will do its best to support all parties involved and protect them from discrimination and victimisation.

Confidentiality is a priority throughout any investigation, and continues to be once the investigation is over, and we urge staff to closely follow all guidelines relating to confidentiality. Any member of staff that has acted knowingly against this, or revealed confidential information unnecessarily or for vicious reasons, may face prosecution.

6. Anonymous allegations

We encourage staff to put their name to concerns made as it will aid a more thorough investigation. However, the school will investigate all anonymous allegations seriously, following the proceedings outlined in this policy as far as is possible.

7. False allegations

Westholme School encourages its entire staff to voice their concerns and allegations safe in the knowledge that those who make allegations in good faith that do not prove to be true will not be reprimanded. However the school may take disciplinary action against staff who make claims that are found to be knowingly false, malicious, or for personal gain.

8. Responding to a concern

The school will investigate all allegations and concerns but the act of investigation does not indicate that the school has accepted the allegations as true.

Usually, the first course of action will be one of the following:

- an investigation by managers, internal audit, or through the disciplinary process
- an investigation under other procedures such as child/adult protection
- an investigation under procedures designed to deal with allegations made against professionals
- a referral to the police
- a referral to the external auditor or other external investigation
- an investigation under other forms of prosecution and inspection such as the protection of public health and safety
- a referral to an independent investigator.

All allegations of abuse against a member of staff must be reported to the Local Authority Designated Officer (LADO) without delay.

Any concerns that fall under specific procedures will be followed up as described in their specific policy, e.g. child protection and safeguarding issues will be followed up as described in the school's child protection and safeguarding policy. This includes immediate action if a child is deemed at risk or immediate harm.

9. Confidential Reporting/Whistleblowing procedures

9.1 The role of the whistleblower

Concerns will usually be dealt with in this way:

1. Staff will raise their concern with their manager, either in person or in writing. If their manager is the subject of the concern, they should go straight to the Principal or Chair of Governors. Staff will be dealt with in confidence and invited to an interview to discuss the allegation. Staff can go straight to the Chair of Governors with their concern, but they will be asked to explain why they did not feel comfortable taking it to a member of their Leadership Team (SLT)
2. The member of the SLT that has heard the concern will decide upon the next course of action. If they decide that it is a genuine concern, and that it is appropriate to follow the whistleblowing procedure, they may take the matter to the Principal or Chair of Governors.
3. If there is any reason that the member of staff making the complaint or raising the concern feels that they are unable to speak to any member of the school or Governing Body, they should contact the relevant authority.

9.2 Role of the SLT

Hold an interview

Once an allegation has been brought to their attention, the senior staff member, Principal or Chair of Governors will hold an interview with the person making the allegation, in confidence. This will take place immediately if there is concern that a child is at risk of harm, or within 5 days if this is not the case. During this interview they will:

- get as much information about the basis of the allegation as they can, and will record what is discussed
- discuss the next action points and steps that will be taken with the staff member who has raised the allegation, and ensure that they fully understand what is going to happen; if the standard whistleblowing procedure is not going to be followed, this should be explained and an alternative procedure outlined
- provide support to the whistleblower; they may be worried about their position, getting someone else into trouble, or what they suspect may be happening.

Staff may want to seek the support of their trade union when going through whistleblowing procedures. Staff are allowed to take a representative from their trade union to their interview and subsequent meetings.

Decide on a course of action

If there is cause for concern once the interview has been carried out, the leading member of staff will take the information that they have recorded to the Principal (or Chair of Governors if the Principal is of concern).

If it is decided that no further action will be taken this will be explained to the whistleblower within **7 days**. This may be because:

- the leadership member does not feel that there is enough evidence to warrant a continued investigation and that is unlikely that any malpractice has occurred or will occur
- there is a belief that the whistleblower is not acting in good faith
- the matter has already been raised and is being investigated.

The Principal, if not already involved, will be informed of the concern even if no further action is to be taken.

9.3 Role of the Principal and Governing Body

The person who receives the report, whether it is the Principal or Chair of Governors, must act on the concern fully. If there is a good reason not to, this will be explained at the next Governors' meeting and reported back to the whistleblower.

The Principal or Chair of Governors will decide whether any external authorities need to be reported to on the matter, or whether it is a case for internal investigation. The decision and progress of the case will be reported back to the leadership member involved, and this will be reported by them to the whistleblower.

The outcomes of any investigations will be reported to the whistleblower in writing to their home address within 14 days. If they do not receive any information and this time has passed, they may appeal for information through their manager or relevant external authorities.

10. Recording, monitoring and evaluation

All staff concerned and involved with any allegation or investigation should keep good records of meetings they attend, discussions that are held, and any outcomes or action points that have been decided.

The Principal or Chair of Governors will review and evaluate all allegations, how they have been dealt with, and their outcomes, to prevent similar future cases, and ensure that procedures are being used correctly and are effective.

This policy will be reviewed annually and any relevant cases that have come up during the past year will be taken into account when it is being reviewed.

11. Outcomes

If the whistleblower is dissatisfied and feels that an allegation that they have made has not been dealt with seriously or properly, they can take the matter up with the relevant authority. All school leaders will try their best to deal with allegations fairly and effectively.

12. Independent advice

This policy is designed to help staff with any whistleblowing concerns and procedures, but the school understands that some staff may wish to get advice from independent external agencies.

13. Contact details

Dr Richard Robson (Principal)

Westholme School
Wilmar Lodge
Meins Road
Blackburn
BB2 6QU
01254 506070

Mrs C Hornby (Senior Deputy Head)

Westholme School
Wilmar Lodge
Meins Road
Blackburn
BB2 6QU
01254 506070

Mrs Emma Robson (Upper Prep Deputy Head)

Westholme Prep
Wilmar Lodge
Meins Road
Blackburn
BB2 6QU
01254 692828

Mrs J Dixon (Lower Prep Deputy Head)

Westholme Prep
Wilmar Lodge
Meins Road
Blackburn
BB2 6QU
01254 297380

Mr B C Marsden (Chairman of Governors)

Westholme School
Wilmar Lodge
Meins Road
Blackburn
BB2 6QU
01254 506070

Dr R Dobrashian (EYFS & Safeguarding Governor)

Westholme School
Wilmar Lodge
Meins Road
Blackburn
BB2 6QU
01254 506070

Mrs L Robinson (EYFS & Chair of Ed. Com.)

Westholme School
Wilmar Lodge
Meins Road
Blackburn
BB2 6QU
01254 506070

Lancashire Safeguarding Children Board

Tel: 0300 123 6720
Out of hours: 0300 123 6722

Local Authority Designated Officer (LADO)

Megan Dumpleton: 01254 585184

NSPCC whistleblowing helpline and email

help@nspcc.org.uk
0800 028 0285

This policy is reviewed annually.