

This school is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.



PARKSIDE
SCHOOL

Edition: 17 April 2020

WHISTLEBLOWING POLICY

**This policy is applicable to the whole school,
including the Early Years Foundation Stage (EYFS)**

References:

ISI: Commentary on the Regulatory Requirements 2019-09 (September 2019)
Keeping Children Safe in Education (September 2019) (*KCSIE*)
Working Together to Safeguard Children (August 2018) (*WT*)
Equality Act 2010

1. Introduction

Parkside School (the School) is committed to providing the best possible care and education to its pupils and to safeguarding and promoting the welfare of children and young people.

2. Scope of this Policy

This Policy is intended to cover concerns that fall outside the scope of individual grievances i.e. 'qualifying disclosures' which are those when an employee reasonably believes to show that one of more of the following is either happening at the present time or took place in the past or is likely to happen in the future.

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health or safety of any individual
- Damage to the environment
- Deliberate covering up of information tending to show any of the above matters

3. Aims

The Governing Body are committed to the highest standards of openness, probity and accountability. In line with this commitment the School encourages workers with serious concerns about an activity in the School to voice those concerns. This also applies to concerns about the actions of staff and governors and external organisations in their dealing with the School.

Links to other policies:

- Anti-Corruption Policy
- Anti-Money Laundering Procedures
- Conflict of Interest Policy
- Data Protection policies
- Equal Opportunities Policy
- Grievance Procedures
- Safeguarding Policy
- School's Privacy Notices
- Staff Code of Conduct
- Staff Handbook

4. Confidentiality and Safeguards in place

In making the disclosure, a worker must have a reasonable belief that the information disclosed shows one or more of the offences or breaches listed above. The belief need not be correct, but the individual must show that they held the belief and that it was a reasonable belief, in the circumstances, at the time of the disclosure.

Individuals are encouraged to come forward in good faith with genuine concerns in the knowledge that they will be taken seriously. The Governing Body encourage employees to put their names to allegations made but recognises that

the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those responsible for the malpractice. The Governing Body will seek to respect the confidentiality and anonymity of the individual raising the concern and will seek to protect him/her from reprisals. The Governing Body will not tolerate any harassment or victimisation of the individual who has raised the concerns, nor will any attempt to prevent individuals from raising concerns in good faith be acceptable.

The Governing Body will endeavour to protect the identity of employees who raise concerns and do not want their name to be disclosed. It must be appreciated, however, that the investigation and statements made by the employee who raised the issue may reveal the source of the information.

5. Procedure

The Governing Body encourages employees to initially raise concerns with the Head, or if the employee feels that they cannot approach the Head, the Governor with responsibility for staff Liaison: Celia Gregory – celiagregory@btinternet.com (Mobile: 07961815870) can be contacted. If the employee is not satisfied with the responses from the above then s/he may contact the Chair: Robin Southwell – southwellr@parkside-school.co.uk.

Should the Chair become involved, the concerns raised should be submitted in writing, setting out the background and history of the concern, giving names, dates and places, and the reason why the individual is concerned about the situation.

The action then taken by the Governing Body will depend on the nature of the concern. The matters raised may for example:

- Be investigated internally
- Be referred to the Police, or other appropriate body
- Form the subject of an independent inquiry

The Governing Body will carry out a preliminary investigation to establish the facts, assess the concern and decide whether it can be resolved internally.

The preliminary investigation may identify the need to involve third parties to provide further information such as legal advisors or the police.

Records will be kept of work undertaken and actions taken throughout the investigation. The Governing Body will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral.

Within fourteen working days of a concern being raised the Chair of Governors will write to the employee who raised the issue:

- Acknowledging that the concern has been raised
- Indicating how it is proposed to deal with the matter
- Where possible, giving an estimate of how long it will take to provide a final response
- Telling the employee whether further investigations will take place, and if not, why not.

If further information is required from the employee who raised the issue, an interview will be arranged, where the employee is entitled to be accompanied by a trade union or professional association representative or a work colleague, who is not involved in the area of work concerned.

6. In the unlikely event that the employee who raised the issue is not satisfied with the outcome.

If the employee is dissatisfied with the resolution of the matter, or has genuine concerns that the matter has not been dealt with appropriately, these concerns should initially be raised with the Governing Body.

If the employee feels that it is more appropriate to take the matter outside of the School, they must ensure that they do not disclose confidential information which is unrelated to the issue being raised.

They may report their concerns to other whistleblowing channels, such as:

- Protect, an independent whistleblowing charity, previously known as Public Concern at Work (helpline: 020 3117 2502, email: whistle@protect-advice.org.uk, website: www.pcaw.co.uk).
- The NSPCC whistleblowing helpline (telephone: 0800 028 0285 or email: help@nspcc.org.uk).

7. Raising unfounded or malicious concerns

If the allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the employee. However, if an employee makes an allegation which is malicious, mischievous or vexatious, or makes a disclosure for personal gain, such actions will be considered as disciplinary offences and are likely to result in disciplinary action being taken against the employee.

Whistle blowers making untrue allegations may expose themselves to actions from libel or slander which together make up the civil wrong of defamation. This is a complex area of law. In essence a person puts themselves at risk of being sued for damages if, without justification, they publish or communicate a false statement about someone which may injure his or her reputation in the eyes of ordinary members of society.

However, a whistle blower will not generally be liable provided that they had a legal, moral or social duty or interest in making the statement to a person with a similar interest.

8. Monitoring, Evaluation and Review

This Policy is monitored, evaluated and reviewed on an annual basis by the Senior Leadership Team.

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Reviewed: Spring Term 2020

Approved by the Board of Governors: 15.4.20

Next review: Spring Term 2021