




South Lee Prep School
Bury St Edmunds

Whistleblowing Policy (Raising Concerns) September 2023 (Including EYFS)

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| Signed:  | Steve Honeywood, Chair of Governors 31/08/23 |
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South Lee Prep School & Nursery's Whistleblowing Policy

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1. Introduction

This policy applies to all staff, volunteers and contractors, paid and unpaid, working in the school including governors.

South Lee Prep School & Nursery ('the School') is committed to delivering services of the highest possible standard, having a culture of safety and of raising concerns. It is a environment where staff are valued and reflective practice is promoted and celebrated.

Training is provided on whistleblowing as part of the safeguarding and child protection training regularly provided by the school. Termly reminders of good practice are given to staff as well as updates when any changes occur. This may be in an email or as part of a staff meeting or training session.

We welcome and encourage you (and others) to voice any concerns that you have about any aspect of the School's work, including any poor or unsafe practice, potential failures in the school's safeguarding systems or any other

concerns whether serious or low-level. We want you to feel able to raise concerns within the school without fear of reprisal. It is important that concerns are raised confidentially and professionally to protect all stakeholders.

2. Aims

This policy aims to:

- Encourage individuals to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Ensure that all staff know how to raise concerns about potential wrongdoing in or by the School
- Set clear procedures for how the School will respond to such concerns
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the School in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

3. Legislation

This policy has been written in line with government guidance on whistle-blowing. We also take into account the Public Interest Disclosure Act 1998.

This guidance should be read in conjunction with:

- The Suffolk Safeguarding Children Partnership Board Procedure <https://suffolksp.org.uk/>

- Keeping Children Safe in Education (Sept 2023)
<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>
- Working Together to Safeguard Children (July 2018)
[Working Together to Safeguard Children 2018](#)
- The School's Safeguarding and Child Protection Policy (including Prevent)

4. Definition of whistle-blowing

Whistle-blowing covers concerns made that report wrongdoing that is “in the public interest”.

Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupils' or staff health and safety being put in danger
- Pupils' or staff welfare at risk
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the School count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

When staff have a concern they should consider whether it would be better to follow our staff grievance or complaints procedures. See staff handbook.

Protect (formerly Public Concern at Work) has: Further guidance on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure. There is also a free and confidential advice line

5. Procedure for staff to raise a whistle-blowing concern

5.1 When to raise a concern

Staff should consider the examples in section 3 when deciding whether their concern is of a whistle-blowing nature.

Consider whether the incident(s) / behaviour was:

- Illegal;
- breached statutory or school procedures;
- put people in danger or was an attempt to cover any such activity up;
- has an adverse impact on the welfare and safety of the pupils - remember safeguarding is paramount;
- falls below established standard or practice set out in the staff behaviour policy;
- amounts to improper conduct.

This should include the use of technologies, mobile devices and communications such as social media.

5.2 Who to report to

Staff should report their concern to the Head or Head of Nursery in the Nursery. The Head of Nursery will immediately involve the Head.

If the concern is about the Head or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Chair of Governors. If the Chair of Governors is unavailable, staff should report to the LADO.

5.3 How to raise the concern

Concerns may be raised in person but should be made in writing wherever possible. They should include names of those committing wrongdoing,

dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

5.4 Understanding and overcoming barriers to raising a concern

Staff may worry because they fear certain barriers to reporting their concern.

These might include:

- Starting a chain of events that spirals
- Fear of being disloyal to your colleagues
- Disrupting the work or project
- Fear of getting it wrong
- Fear of repercussions or damaging careers
- Fear of harassment or victimisation
- Fear of not being believed
- Feeling you don't have time to report something

This policy should serve to reassure staff that reporting their concern for the safety and wellbeing of the children, their colleagues, themselves, the community and the School itself should take priority. The Head or Chair of Governors receiving the concern will understand these barriers and potential worries.

6. School procedure for responding to a whistle-blowing concern

6.1 Investigating the concern

When a concern is received by the Head / Chair of Governors they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative;
- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure;
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the

concern is found to be malicious or vexatious, disciplinary action may be taken (see section 8 of this policy);

- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
 - o The Head / Chair of Governors should then arrange a further investigation into the matter. In some cases, they may need to bring in an external, independent body to investigate. In other cases, they may need to report the matter to the police or LADO;
 - o The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps.

Concerns or allegations that raise issues covered by other school policies/procedures will normally be addressed under those procedures, e.g. disciplinary, health and safety, grievance, child protection and adult abuse procedures.

6.2 Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified, and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the Head, board of Governors and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

7. Self-Reporting

Any person employed by the school must report immediately to the Head any convictions they receive.

There may be occasions when an employee has a personal difficulty such as a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager so professional and personal support can be offered and no harm done. Confidentiality cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

8. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the School will consider whether any disciplinary action is appropriate against the person making the allegation.

9. Escalating concerns beyond the School

The School encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included [here](#).

The Protect advice line, linked to in section 3 of this policy, can also help staff when deciding whether to raise the concern to an external party.

10. Approval

This policy will be reviewed annually.

These procedures have been agreed by the board of Governors, who will approve them whenever reviewed.

11.Links with other policies

This policy links with our policies on:

- Staff grievance policy
- Complaints procedure
- Safeguarding and Child protection policy

How Should You Raise a Concern?

The earlier a concern is expressed, the easier and sooner it is possible to take action.

As a first step, you should normally raise concerns with your:

- immediate line manager who is likely to seek advice from the Designated Safeguarding Lead depending on what it is;
- for more serious worries and immediate action needed speak to the Head, Mrs Joanna Coventry King.

However, if you believe that the Head is involved, you should approach:

- the Chair of Governors (Stephen Honeywood).

In some cases, it may be appropriate for you to ask your trade union to raise the concern on your behalf.

Ideally you should put your concerns in writing, stating clearly:

- that you are raising concerns via the whistleblowing policy;
- the background and history of the concerns;
- names, dates and places where possible;
- the reasons why you are particularly concerned about the situation;
- AND
- your name and post title; (concerns provided anonymously are much less powerful, are not likely to be as effective and will be considered at the discretion of the school);

- if you do not feel able to put your concern in writing, you can telephone or meet the appropriate person from the list given above.

Although you will not be expected to prove the truth of any allegation, you will need to demonstrate to the person whom you contact that there are sufficient grounds for your concern.

Remember, the earlier you express a concern, the easier and sooner it is possible for the school to take action.

What Happens Next?

Within ten working days of your concern being received, the person receiving the concern will send you a written response:

- acknowledging that the concern has been received;
- indicating how he/she proposes to deal with the matter;
- giving an estimate of how long it will take to provide a final response; and/or
- indicating whether any initial enquiries have been made, and whether further investigations will take place; or
- explaining the reasons for not investigating further if that is the decision; and/or
- indicating when you can expect to receive further details, if the situation is not yet resolved. Remember, if your concern, once investigated, is confirmed as unfounded, the school will deem the matter to be concluded and will not expect you to raise the matter via another procedure, or with the person on the list given above, unless new evidence becomes available.

Please note that, if there is clear evidence that you have deliberately made a malicious or false statement, disciplinary action may be taken against you.

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Please visit [nspcc.org.uk reporting-abuse dedicated helplines whistleblowing advice line](https://nspcc.org.uk/reporting-abuse-dedicated-helplines-whistleblowing-advice-line)

Staff can call 0800 028 0285 from 8am to 8pm Monday to Friday.
Alternatively, staff can email help@nspcc.org.uk

If you are not happy with the response that you receive from the school, you may wish to raise the matter externally with:

- 'Public Concern at Work' * on 020 3117 2520 or email www.pcaw.org.uk/contact-us
- a recognised trade union;
- relevant professional bodies or regulatory organisations, e.g. the Health & Safety Executive;
- a solicitor

Remember: if you raise a concern externally, it is your responsibility to ensure that confidential information is not disclosed, i.e. you must not hand over confidential information, in whatever format, to a third party.

Further Advice and Support

It is recognised that whistleblowing can be difficult and stressful. Advice and support are available from the DSL and/or your professional body or trade union.

* Public Concern at Work is a registered charity that you can contact for advice on how to raise a concern at work about poor practice. The charity will also provide the School with advice as to the best possible ways to address your concern(s).