



WHISTLE-BLOWING POLICY

Responsibility: Senior School Deputy Head Pastoral

Date: January 2024

Review: January 2025

Reviewed by: SLT and then sent to Governors for approval/endorsement

INTRODUCTION

The policy is intended to help employees, contractors or suppliers who have major concerns over any alleged wrongdoing at Clayesmore School relating to safeguarding, unlawful conduct, financial malpractice or dangers to the public or the environment. Specific examples could include:-

1. a criminal offence (e.g. fraud, corruption or theft) has been/is likely to be committed
2. a miscarriage of justice has been/is likely to occur
3. the health or safety of any individual has been/is likely to be endangered
4. the environment has been/is likely to be damaged
5. public funds are being used in an unauthorised manner
6. sexual or physical abuse of any member of staff or pupil is taking place
7. discrimination is occurring to any member of staff or pupil on grounds of sex, race or disability
8. corruption, bribery or blackmail
9. any other form of improper action or conduct is taking place
10. information relating to any of the above is being deliberately concealed or attempts are being made to conceal the same.

The School would rather that you raised the matter when it is just a concern rather than wait for concrete proof.

If something is troubling you, which you think the Head or Governors should know about or look into, please use this policy. If, however, you are aggrieved about your personal position, please use the Staff Grievance policy. This Whistleblowing policy is primarily for concerns where the interests of others or of the organisation itself are at risk.

If in doubt - raise it – but do read the important notes which follow.

IMPORTANT NOTES

Please note that The Public Interest Disclosure Act 1998 (sometimes referred to as 'the Whistleblowers Act') protects employees against detrimental treatment or dismissal as a result of any disclosure of normally confidential information in the interests of the public. The Act only covers protected disclosures under six categories, namely; crime, illegality, miscarriage of justice, damage to health and safety, damage to the environment, and 'cover-ups' about these issues.

To obtain protection employees must first disclose the information to the employer.

Any employee who seeks for personal reasons to invoke the whistleblowing policy without good cause or in a way that could be construed as malicious will themselves be subject to the staff disciplinary procedure.

AIMS OF THE POLICY

The policy aims to:

- encourage employees to feel confident in raising serious concerns and to ensure their concerns are acted upon
- provide ways for employees to raise those concerns and get feedback on any action taken as a result
- ensure that employees get a response to their concerns and that they are aware of how to pursue them if they are not satisfied with any actions
- reassure employees that if they raise any concerns in good faith and reasonably believe them to be true, they will be protected from possible reprisals or victimisation.

WHO IS COVERED BY THIS POLICY?

All employees of the school may use this policy. This includes permanent and temporary staff. It also covers agency staff and volunteers.

Contractors working for the school may also use the provisions of this policy to make the Head or governors aware of any concerns that the contractor's staff may have with regard to any contractual or other arrangement with the school.

Concerns about safeguarding, child protection or children's welfare related to the actions or behaviour of staff, the DSL or volunteers should be reported to the Head, who should contact the LADO.

Concerns relating to the Head should be reported to the Chairman of Governors who has a duty to report such concerns to the LADO, or to the safeguarding governor.

The complete list of the safeguarding team may be found in Appendix A and in the current Safeguarding Policy.

WHAT ASSURANCES DO YOU GET?

If you raise a concern under this policy, you will not be at risk of losing your job or suffering any form of retribution as a result, provided that:-

1. the disclosure is made in good faith;
2. you reasonably believe that information, and any allegations contained in it, are substantially true; and
3. you are not acting for personal gain.

Clayesmore School will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, we recognise that you may nonetheless want to raise a concern in confidence under this policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed.

Remember that if you do not tell us who you are, it will be much more difficult for us to look into the matter or to protect your position or to give you feedback. Accordingly, while we will consider anonymous reports, this policy is not well suited to concerns raised anonymously.

HOW SHOULD YOU RAISE A CONCERN?

If a member of staff has any reason to believe that another adult in school has acted inappropriately or abused a child or young person, they must not delay, but take action immediately by reporting to the Head.

If the Head is unavailable for any reason, or if the allegation is about the Head, concerns must be reported to the Chair of Governors, John Andrews, (dfo@clayesmore.com)

Concerns may be raised verbally or in writing. Employees who wish to make a written report should use the following format:

1. the background and history of the concern (giving relevant dates)
2. the reason why they are particularly concerned about the situation.

HOW WILL THE SCHOOL RESPOND?

If the concern is raised verbally, the person receiving the information should put it in writing as soon as practicable to ensure that it properly reflects the concerns that have been raised. The employee must also indicate if the concern is to be treated in confidence. The limit of that confidence will be checked out by the person receiving the information.

Once you have told us of your concern, we will look into it to assess initially what action should be taken. This may involve a formal inquiry by the Head or a committee of Governors. We will tell you who may be handling the matter, how you can contact him/her and whether your further assistance may be needed. If you request it, we will write to you summarising your concern(s) and setting out how we propose to handle it.

When you raise the concern you may be asked how you think the concern(s) might best be resolved. If you do have any personal interest in the matter, we do ask that you tell us at the outset. Should your concern fall within another of the School's policies (for example, the Grievance policy), we will tell you.

While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can. If requested, we will confirm our response to you in writing. Please note, however, that we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.

Concerns or allegations which fall within the scope of specific procedures (for example child protection) will always be referred in accordance with the safeguarding policy, a copy of which is on the school website. Some concerns may be resolved by agreed action without the need for an investigation. If urgent action is required, this will be taken before any investigation is conducted.

Where appropriate, the matters raised may:

1. be investigated by the Head, Deputy, or by a Governor or committee of governors or through the disciplinary process
2. be referred to the police or social services
3. be referred to the external auditor

Usually, within four weeks of a concern being raised, the person looking into the concern will write to you:

1. acknowledging that the concern has been received
2. indicating how the School proposes to deal with the matter
3. giving an estimate of how long it will take to provide a full response
4. saying whether any initial enquiries have been made
5. supplying information on support available to you; and

6. saying whether further investigations will take place and if not, why not.

Subject to any legal constraints, the relevant employee will normally be informed of the final outcome of any investigation.

WHAT SAFEGUARDS ARE THERE FOR THE EMPLOYEE?

The Council will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect those who raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures already taking place concerning the employee.

No action will be taken against anyone who makes an allegation in good faith, reasonably believing it to be true, even if the obligation is not subsequently confirmed by the investigation.

Every effort will be made to ensure confidentiality as far as this is reasonably practical.

Help will be provided to you in order to minimise any difficulties which you may experience. This may include advice on giving evidence if needed. Meetings may if necessary be arranged off-site with you and with you being represented if you so wish.

HOW CAN A CONCERN BE TAKEN FURTHER?

If you are unsure whether to use this policy or you want independent advice at any stage, you may contact

1. social services directly, if your concern relates to child protection
2. your trade union, if applicable
3. the independent charity Public Concern at Work on 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

An employee who is not satisfied with the action taken by the Head and feels it right to question the matter further may consider the following possible contact points:

1. the Chairman of Governors
2. social services, if the matter relates to child protection – see Appendix A
3. the Police and/ or Health and Safety Executive

RECORDING AND MONITORING

The Head will maintain a register containing all concerns that are brought to her attention and details of the outcomes of any investigations.

REVIEW

This policy will be reviewed, prior to the start of each academic year by the Head and SLT and changes discussed with the Chairman of Governors. The policy will then go before the Governors in the spring term.

APPENDIX A – THE SAFEGUARDING TEAM

Nominated Governor

The nominated governors are Dayle Kirby (dkirby@clayesmore.com) and Fiona Waller (fwaller@clayesmore.com).

Senior School

Designated Safeguarding Lead – SarahJane Newland Deputy Head (Pastoral) (sjnewland@clayesmore.com, 01747 813131, 0772 882 14937)

Deputy DSL - JulieAnn Murphy, Librarian (jmurphy@clayesmore.com, 01747 813140)

Deputy DSL – Emma Dorey, Housemistress of Wolverton (edorey@clayesmore.com, 01747 813148)

Prep School

Designated Safeguarding Lead – Dan Browse, Assistant Head (dbrowse@clayesmore.com, 01747 813155, 07387 265 475)

Deputy DSL – Sam Hillyard RGN, Head Sister (shillyard@clayesmore.com, 01747 813139)

Deputy DSL – Charlotte Townsend, Assistant Head (ctownsend@clayesmore.com, 01747 813042)

Deputy DSL - Jessica Chisholm, Houseparent (jchisholm@clayesmore.com, 01747 813138)

Additional Deputy DSL - primarily holiday cover

Deputy DSL - Tracy McConnell, Head of Compliance (tmccConnell@clayesmore.com, 01747 813255)

Outside the school – the LADO / Designated Officer

The Designated Officer of the CHAD Team: 01305 228866.