



# **PEMBROKE HOUSE**



## **WHISTLEBLOWING POLICY**



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# Pembroke House Whistleblowing Policy

## 1. Introduction

Pembroke House staff have a responsibility to ensure that they, their colleagues and others working in the school follow safe working practices, so that students are kept safe at all times. Staff are often the first to realise that there may be something seriously wrong within the school.

However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report the malpractice. Staff must understand that failure to report unsafe practices could lead to a child being harmed or put at risk of harm.

This policy document makes it clear that a staff member can report suspected or actual occurrences of illegal, unethical, or inappropriate events, behaviours or practices without fear of retribution or victimisation.

## 2. Purpose of the Policy

This policy aims to:

- give confidence to members of staff about raising concerns about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical, or which amounts to malpractice or is inconsistent with school standards and policies, so that they are encouraged to act on those concerns.
- provide members of staff with avenues to raise concerns.
- ensure that members of staff receive a response to the concerns they have raised and feedback on any action taken.
- offer assurances to members of staff that they are protected from reprisals or victimisation for whistleblowing action undertaken in good faith.

## 3. Responsibilities

- The Governing Council is responsible for approving and providing oversight to the implementation of this Whistle Blowing policy.
- All staff have a responsibility for reporting any suspected or actual occurrences of illegal, unethical, or inappropriate events, behaviours or practices without fear of retribution or victimisation.

## 4. Who does this policy apply to?

This policy applies to all school employees, whether working full time or part time, permanent or temporary, those carrying out work for the school while on the school premises, for example, contractors or consultants. It also covers providers of works, services and supplies. To facilitate the reading of this policy, the terms “staff” or “members of staff” have been used with the intention to cover all individuals mentioned above.

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## 5. Scope of Policy

This policy covers whistleblowing relating to alleged:

- sexual, physical or emotional abuse of members of staff or pupils
- health and safety issues, including risks to the public as well as risks to pupils and members of staff
- action that has caused or is likely to cause physical danger to any person or risk serious damage to school property
- unlawful conduct
- miscarriages of justice in the conduct of statutory or other processes
- failure to comply with statutory or legal obligation
- potential maladministration, misconduct or malpractice
- action that has caused or is likely to cause danger to the environment
- abuse of authority
- unauthorised use of funds
- fraud or corruption
- breaches of financial regulations or policies
- mistreatment of any person
- unfair discrimination or favouritism
- racist incidents or acts or racial harassment
- any attempt to prevent disclosure of any of the issues listed
- inappropriate use of social media and other technologies

## 6. Staff Conduct

- Staff should be aware that they are at risk of accusation of abuse. Therefore, it is advisable to avoid physical contact with children.
- All one-to-one meetings with children should be conducted in school office areas or classrooms, where doors remain open, or if the door is closed the glass window in the door is unobstructed, ideally with other staff nearby, as a safeguard to all.
- Staff should have adequate regard for transparency and discourage any forms of secrecy.
- Children should not be transported by car unless in a group, or with a driver and escort. Female pupils will have a female escort. School buses or hired transportation that is approved by the School, is advised wherever possible.
- Staff should not communicate electronically with children, other than by using the school email address and official school systems, on matters of school business only. Each communication may be screened by the ICT department under the Acceptable Use Policy (see *ICT Policy* for more details).
- Staff should not hold children's mobile numbers on their personal phones or message pupils using SMS, WhatsApp or any other social media.
- All staff may make a public interest disclosure in the interests of safeguarding and child safety at any point and may approach either the Designated Safeguarding Lead, Head of Pastoral Care, Head or the Safeguarding Lead on Council with any concerns they may have regarding Safeguarding and Child Protection. Any such disclosure, known as whistleblowing, will not entail recrimination on behalf of the staff member making such a disclosure.



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## 7. Safeguard against Reprisal, Harassment and Victimisation

The School takes a zero tolerance approach to harassment or victimisation of members of staff when matters are raised in accordance with this policy. Any member of staff who harasses or victimises another member of staff because of having raised a concern in line with this Whistle Blowing policy will be subject to disciplinary action, as per the School's staff disciplinary procedures (see *Disciplinary Code and Separation Policy*).

## 8. Confidentiality

The School Council recognises that members of staff may want to raise concerns in confidence and will do its utmost to protect the identity of members of staff who raise a concern and do not want their name disclosed.

However, investigation into the concern could reveal the source of the information and statements may be required from the member of staff as part of the evidence, which would be seen by all parties involved. If the investigation leads to prosecution, the whistleblower is likely to be called to give evidence in court.

## 9. Anonymous Allegations

This policy encourages staff to put their name to their allegation whenever possible.

The school will take all concerns raised seriously. When carrying out an initial review of a concern, the school will consider the following factors:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable resources

## 10. Untrue/Malicious/Vexatious Allegations

If a member of staff makes an allegation in good faith but it is not confirmed by further inquiry, the matter will be closed and no further action will be taken. If, however, the inquiry shows that untrue allegations were malicious and/or vexatious or made for personal gain, then the school will consider taking disciplinary action against the member of staff. In the most serious of cases, this may include dismissal.

## 11. Procedure for making a Whistleblowing Allegation

- All whistleblowing concerns shall first be reported to the staff member's line manager and the Head. The earlier a concern is expressed, the easier it is to take action. In order to assist with investigation, staff members should provide as much detail and supporting evidence as possible.
- If the Whistle-blower is uncomfortable or otherwise reluctant to report to his/her line manager, then the whistle-blower can report the event to the next highest or another level

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of management such as the Designated Safeguarding Lead, the Head of Pastoral Care, the Head, Chairman of Council or the Safeguarding Lead on Council.

- All whistleblowing reports must be put in writing. In order to assist with investigation, staff members should provide as much detail and supporting evidence as possible.
- A staff member is not expected to prove that an allegation is true, only to have sufficient grounds for concern.

## 12. How the school will respond

The School will investigate and respond to all concerns raised by staff members. When a concern is raised:

- The Designated Safeguarding Lead and Head will consult and together they will consider initially whether there is sufficient substance in the allegation to warrant an investigation.
- As part of this consideration, the Head and DSL will consult with a legal representative and the Chairman of the Council and Safeguarding Lead on the Council will be informed. If the allegations relate to the DSL or the Head, then the Chairman of the Council will be informed to progress the investigation.
- In cases of serious harm, the police will be informed immediately.

## 13. Timescale for Response

The member of staff will normally receive a written response within fourteen (14) school days (except in cases of anonymous allegations):

- Acknowledging that the concern has been received
- Indicating how it is proposed to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Advising whether any enquiries have been made
- Advising whether further enquiries will take place
- Informing them of support available whilst matters are looked into and following the outcome of the investigation
- Maintaining confidentiality wherever possible but also explaining that it may not be possible that they can remain anonymous.

A further update will also be provided **28 days** after the report was received, advising of additional progress made and the estimated date a final response will be available. If the whistleblower has chosen to remain anonymous and non-contactable, they need to contact their original whistle blowing route in order to receive updates.

## 14. Linkages with other Policies

This policy should be read together with the *Safeguarding and Child Protection Policy*, *Human Resource Policy*, *Disciplinary Code and Separation Policy* and *ICT Policy*.

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