

Whistle Blowing (Sept 2023)

<p>This policy has been written for...</p> <p>Copies of this policy may be obtained from...</p>	<p>All employees, agency workers, contractors and volunteers at Valence School.</p> <ul style="list-style-type: none"> • The School web site - https://www.valenceschool.com/ • It is available as a hard copy on request from reception. • Hard copies for reference are filed in the staff resource room
<p>Participants and consultees in the formulation of this policy were...</p>	<p>The Principal, Senior Leadership Team & school Governing body</p>
<p>Edition, Review frequency and dates</p>	<p>This is edition 4, written in August 2023 Date agreed and ratified by Governors: Sept 2023 Date of next review: August 2024 <i>This policy will be reviewed at least annually and/or following any updates to national and local guidance and procedures.</i></p>
<p>Relevant statutory guidance, circulars, legislation & other sources of information are...</p>	<p>Keeping Children Safe In Education (KCSIE) September 2023 Section 175 of the Education Act, 2002 Working Together to Safeguard Children, 2018 (WTSC) Ofsted Education Inspection Framework (2021) Valence School Code of Conduct Valence School Grievance Procedure Valence School Child Protection Policy Valence School Complaints Policy</p>
<p>The lead member of staff is</p>	<p>Roland Gooding – (Principal) Deputy Designated Safeguarding Lead & named internal whistle blowing contact rgooding@valence.kent.sch.uk</p>
<p>Definitions and key terms used in this policy...</p>	<p>DSL (Designated Safeguarding Lead) KCSIE (Keeping Children Safe in Education, 2023) WTSC (Working Together to Safeguard Children, 2018) LADO – Local Authority Designated Officer</p>
<p>The Rationale and Purpose of this policy</p>	<p>This is a core policy that forms part of the induction for all staff. It is a requirement that all members of staff have access to this policy and have read and understood its contents.</p>

Appendices	No appendices are attached to this policy
Acknowledgement	The format and content of this document incorporates information available through Kent County Council's KELSI resource pages and the framework of policy documents at West Heath School.
Key Personnel	<p><i>Roland Gooding</i> (Principal) Deputy Designated Safeguarding Lead & named internal whistle blowing contact Contact details: email: rgooding@valence.kent.sch.uk tel: 01959 565627 (ext 1100) / 07896905605</p> <p><i>Lisa Kavanagh</i> (Vice Principal) Designated Safeguarding Lead & Head of Safeguarding & Social Care Contact details: email: lkavanagh@valence.kent.sch.uk tel: 01959 567810 (ext 1103) / 07912 124724</p> <p><i>Matt Strange</i> (Vice Principal) Deputy designated Safeguarding Lead & Head of Teaching & Learning Contact details: email: mstrange@valence.kent.sch.uk tel; 01959 562156 (ext 1102) / 07894483673</p> <p><i>Brian Davies</i> – Chair of Governors & named whistle blowing contact within Governing Body bdavies@valence.kent.sch.uk</p> <p><i>Carys Long</i> – Child Protection & Safeguarding Governor clong@valence.kent.sch.uk</p>

Introduction and Ethos

The Governing Body and staff at Valence School seek to run all aspects of school business and activity in line with the highest possible standards of openness, and accountability. In the event that any members of staff, parents, governors or the wider school community become aware of activities which give cause for concern, the governing body of Valence School has established the following Whistle Blowing Policy which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

It is vital that staff feel able to raise concerns about the behaviour of any staff member toward students or other staff.

Definition of a 'Whistle blower'

"a person who raises concerns in the public interest. For the purpose of concerns relating to the School, and in particular student safety concerns, the term 'whistle blower' is used in this report to apply to those who speak up when they see something wrong usually relating to student safety but also to the integrity of the school system."

Principles

The Governors and staff take seriously the responsibility to keep the welfare of students as the paramount consideration.

Staff from all disciplines within the school have the right and a responsibility to raise genuinely held concerns about the behaviour of staff toward students and staff toward other staff.

Valence School is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter in full confidence that the matter will be appropriately considered and resolved.

This policy is intended to encourage individuals to raise serious concerns internally, without fear of reprisal or victimisation, rather than over-looking a problem or raising the matter outside.

This policy aims to ensure individuals:

- can feel confident in raising serious concerns and to question and act upon concerns about practice
- are provided with avenues to raise concerns and receive feedback on any action taken
- receive a response to their concerns and are aware of how to pursue the matter further if they are not satisfied with the outcome
- can be reassured that they will be protected from reprisals or victimisation if they make a disclosure

Scope

The Whistle Blowing Policy applies to all employees, agency workers, contractors and volunteers.

Concerns can include matters such as:

- an individual's health and safety is in danger
- you believe someone is covering up wrongdoing
- unacceptable behaviour toward a student e.g. placing them at risk
- poor standards of care where the welfare of students is being negatively affected.
- the "cover up" of serious incidents
- a criminal offence
- inappropriate use of school assets
- risk or actual damage to the environment
- a miscarriage of justice
- the school is breaking the law, e.g. doesn't have the right insurance

This policy does not replace the school's grievance procedure, the school's disciplinary procedure or the child protection procedures.

Raising a concern

With particular reference to child protection, the following guidance should be followed:

- When a complaint of abuse is made against an employee on behalf of a child there should be immediate consideration of whether a child or children is/are at risk of significant harm and in need of protection.
- Any employee who becomes aware of a possible allegation or concern of a child protection nature must take immediate steps to ensure the matter is promptly reported to the DSL (Senior On Call).
- If the allegation or concern involves the DSL, then the matter must be reported to the Principal.
- If the concerns involves the Principal, then the matter must be reported directly to the Chair of Governors.

In all cases, the DSL, Principal or Chair of Governors (in the case of the allegation being against the Principal) must have an immediate preliminary consultation about the allegation or concern with the LADO who will advise on further action in accordance with this procedure as appropriate. This is not the beginning of an investigation, but part of the basic information gathering process. This advice will include who should be made aware that an allegation or concern has been raised.

(Guidance taken from 'Safeguarding procedures for managing allegations against staff within schools and education services', KCC September 2019)

In all other matters (not related to student welfare), staff are encouraged to discuss their concerns initially with their Line Managers or supervisors but are also free to raise the matter with the following individuals:

- **Roland Gooding** – (Principal) Deputy Designated Safeguarding Lead & named internal whistle blowing contact rgooding@valence.kent.sch.uk
Contact Telephone: 07896 905605
- **Lisa Kavanagh** (Vice Principal) Designated Safeguarding Lead & Head of Safeguarding & Social Care lkavanagh@valence.kent.sch.uk
Contact Telephone: 07912 124724
- **Matt Strange** - (Vice Principal) Designated Safeguarding Lead & Head of Teaching & Learning mstrange@valence.kent.sch.uk
Contact Telephone: 07894 483673
- **Brian Davies** – Chair of Governors & named whistle blowing contact within the Governing body bdavies@valence.kent.sch.uk
Contact Telephone: 07593 238124

Concerns may be raised verbally or in writing.

A concern raised in writing should:

- Set out the background and history of the concern - giving names, dates and places where possible
- Give the reason why the Employee is particularly concerned about the situation
- For clarity it would be helpful for the Employee to state that they wish their concerns to be addressed under the whistle blowing procedure

Wider reporting mechanisms

Alternatively, if the 'whistle blower' considers the matter too serious or sensitive to raise internally the matter should be directed to the Local Authority.

- **Local Authority Designated Officer (LADO)**
kentchildrenslado@kent.gov.uk
Telephone : 03000 410888

The local Authority will ensure relevant offices of the DFE are informed as appropriate.

In addition, information can be obtained from the organisation listed below.

- **Whistle blowing Charity – Protect** (formally 'Public Concern At Work')
<https://protect-advice.org.uk/contact-us/>
Tel. 020 3117 2520
- **NSPCC** Whistle blowing Advice Line
Email help@nspcc.org.uk
Tel. 0800 028 0285

Other authorities that may be of help include:

- Children's Social Care Services
- Police
- Health & Safety Executive
- Audit Commission
- Local Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations
- Department for Education
- Ofsted

Any individual who intends to raise a concern externally is encouraged to consider carefully whether this is the most appropriate form of action to resolve the issue and whether all reasonable internal steps have been explored.

If a matter is raised outside of the School, staff are required to take all reasonable steps to ensure that confidential or privileged information is not disclosed.

How the school will respond

The individual(s), in receipt of the information or allegation will carry out a preliminary investigation. They will seek to establish the facts, assess whether the concern has foundation and can be resolved internally.

The initial assessment may identify the need to involve third parties to provide further information advice or assistance. (The Principal and Chair of the Governors will be informed if not already involved). This may include:

- Referral to KCC's Head of Internal Audit (please note this is a requirement in all cases of suspected financial irregularity in maintained schools)
- Referral to an external auditor
- Referral to another regulatory authority
- Referral to the Police
- Referral to the Local Authority

Within 10 working days of receipt of any concern, the person progressing the matter will write to the Employee to:

- Acknowledge that the concern has been received
- Indicate how and through whom the School proposes to address the matter including whether further investigation or referral to another organisation will be made
- Give an estimate of how long the investigation will take
- Indicate whether further information will be sought from the Employee and the arrangements for obtaining this where known

The form of further contact between the Employee and the person progressing the complaint will depend on the nature of the matter raised and the follow up action required.

Records will be kept of work undertaken and actions taken throughout the investigation.

Once the investigation has concluded:

- The Principal in conjunction with the Governing Body will consider how best to report the findings and what the corrective action needs to be taken.
- This matter will be reported to the full Governing Body.
- The 'whistle blower' will be informed of the results of the investigation and the action taken to address the matter.

If the 'whistle blower' is dissatisfied with the conduct of the investigation or resolution or has genuine on-concerns about the matter the concerns should be raised with the Principal, Chair of the Governors and or the local Authority.

On occasion, the person considering the complaint may determine that it is not appropriate for further action to be taken. This may include where:

- There is no evidence that malpractice has occurred
- The matter is / has been the subject of internal proceedings under another school policy
- The matter is / has been the subject of external legal proceedings / been referred to another external agency
- A false and malicious or vexatious complaint has been made

Confidentiality & anonymity

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; if the whistleblower is required 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.

We would 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.

False allegations

Valence School encourages all 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.

Responsibilities of the school

- To foster a culture where staff can feel confident in raising concerns
- To ensure concerns are fully considered, investigated as necessary and action taken as appropriate
- To ensure that the individual raising the concern, receives feedback on any action taken where appropriate
- To make staff aware how they can take matters further if they are not satisfied
- To reassure staff that they will be protected against detriment and reprisal should they raise a concern

Responsibilities of staff

- To raise concerns only where there is a reasonable suspicion for doing so
- Not to knowingly raise a false allegation with malicious or vexatious intent
- To engage with internal / external actions to address any concerns – by attending meetings and / or participating in any investigation

The victimisation of people who raise genuine concerns is a disciplinary offence, as is maliciously raising an untrue allegation.

Support & representation

Staff may wish to consult and seek guidance from their Trade Union representative before making a disclosure under this procedure

Staff may also be accompanied to any meeting by a trade union representative or workplace colleague who is not involved in the area of work to which the concern relates.

The school will endeavour to support all staff who raise concerns under this policy. Other sources of support may include:

- Teachers Support Line www.teacherssupport.info;
- Trade Union or Professional Association where the Employee is a member
- Citizen's Advice Bureau www.citizensadvice.org.uk

Additional guidance

- As a member of staff, you are encouraged to raise matters when it is just a concern rather than wait for proof or investigate the matter yourself.
- As a school we recognise the difficulty in raising a concern, particularly when it may have an impact on colleagues or managers and therefore staff will be supported in raising concerns and protected from reprisals.
- Your concerns will be investigated in an appropriate and sensitive manner.
- You will be kept informed of the progress of an investigation and of the outcome.