



**St George's**  
WEYBRIDGE

## **WHISTLEBLOWING**

### **Whistleblowing with Regard to Safeguarding Matters**

This guidance is written for all staff and is in line with DfE guidance “**Keeping Children Safe in Education**” (September 2019).

Staff must acknowledge their individual responsibility to bring matters of concern to the attention of senior management and/or relevant agencies. Although this can be difficult this is particularly important where the welfare of children may be at risk. We operate in a culture of openness and a willingness to discuss and report all concerns; there should be no fear of recrimination.

You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young persons who are targeted. These children need someone like you to safeguard their welfare.

### **DON'T THINK WHAT IF I'M WRONG – THINK WHAT IF I'M RIGHT**

#### **Reasons for Whistleblowing**

1. Each individual has a responsibility for raising concerns about unacceptable practice or behaviour
2. To prevent the problem worsening or widening
3. To protect or reduce risks to others
4. To prevent becoming implicated yourself

#### **What Stops People for Whistle Blowing**

1. Starting a chain of events which spirals
2. Disrupting the work or project
3. Fear of getting it wrong
4. Fear of repercussions or damaging careers
5. Fear of not being believed

## How to Raise a Concern

1. You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken.
2. Try to pinpoint exactly what practice is concerning you and why.
3. Inform the DSL (Designated Safeguarding Lead) or Deputy DSL.
4. If your safeguarding concern is regarding a member of staff, contact the Head Teacher; if it is about the Head Teacher, contact the Chairman of Governors, whose contact details can be found on page 1 of the Safeguarding Policy. If you feel you need to take it to someone outside the school, contact the member of staff at the Surrey Safeguarding Children Board with responsibility for the independent sector, the Local Authority Designated Officer (LADO) at the earliest opportunity. Alternatively, the NSPCC has a Safeguarding Whistleblowing helpline and the phone number is in the Safeguarding Policy. Ideally, you should put your concerns in writing, outlining the background and history, giving names, dates and places where you can.
5. A member of staff is not expected to prove the truth of an allegation but is expected to be able to demonstrate sufficient grounds for the concern.

## What Happens Next

1. You should be given information on the nature and progress of any enquiries.
2. Your employer has a responsibility to protect you from harassment or victimisation.
3. No action will be taken against you if the concern proves to be unfounded and was raised in good faith.
4. Malicious allegations may be considered as a disciplinary offence.

## Self-Reporting

There may be occasions where a member of staff has a personal difficulty, perhaps 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 to the member of staff concerned. Whilst such reporting will remain confidential in most instances, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

## Further Advice and Support

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your Line Manager or Senior Management.

*“Absolutely without fail - challenge poor practice or performance. If you ignore or collude with poor practice it makes it harder to sound the alarm when things go wrong” (reproduced with acknowledgement to “Sounding the Alarm” – Barnados)*

## **Whistleblowing – Other**

SGW has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, and failure to comply with legal obligations, inappropriate behaviour or unethical conduct. The policy also provides if necessary, for such concerns to be raised outside the organisation.

The key principles of the policy can be summarised as follows:

1. SGW wishes to promote a culture of safety and raising concerns
2. SGW wishes to promote a culture of valuing staff and of reflective practice
3. The procedures set out below are for reporting and handling concerns, including about poor or unsafe practice and potential failures in the school's safeguarding regime
4. The provision for mediation and dispute resolution
5. Training and support is provided annually on raising concerns on Safeguarding, Health and Safety and Risk Assessment. This is done in detail through online modules.

## **Elements of the Policy**

In accordance with Lord Nolan's Second Report of the Committee on Standards in Public Life, the School's policy on whistleblowing is intended to demonstrate that SGW:

1. Will not tolerate malpractice;
2. Respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively;
3. Will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
4. Will invoke SGW's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations;
5. Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.

## **Procedure**

This procedure is separate from the SGW's adopted procedures regarding grievances. Individuals should not use the whistleblowing procedure to raise grievances about their personal employment situation.

This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the School.

Malpractice is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption and bribery (in conjunction with the SGW Anti-Bribery Policy and in accordance with the Bribery Act 2010), dishonesty, acting contrary to the staff code of ethics, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment.

Reviewed 21 September 2019

Next review 21 September 2020

Author – Head of Human Resources

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## **Confidentiality**

Individuals who wish to raise a concern under this procedure are entitled to have the matter treated confidentially and their name will not be disclosed to the alleged perpetrator of malpractice without their prior approval. It may be appropriate to preserve confidentiality that concerns are raised orally rather than in writing, although members of staff are encouraged to express their concern in writing wherever possible. If there is evidence of criminal activity, then the Police will in all cases be informed.

## **The Investigation**

A member of staff will be at liberty to express their concern to the Head, Deputy Head or the Bursar.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The member of staff making the allegation will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the Resolution.

A member of staff who is not satisfied that their concern is being properly dealt with will have a right to raise it in confidence with the Governors.

## **External Procedures**

Where all internal procedures have been exhausted, a member of staff shall have a right of access to an external person/body. This may include (depending on the subject matter of the disclosure) HMRC, the Audit Commission, the Health and Safety Executive and/or the Local Authority Designated Officer (where the disclosure relates to a child protection issue).

It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a member of staff may be entitled to raise a concern directly with an external body where the individual reasonably believes: -

1. That exceptionally serious circumstances justify it;
2. That the School would conceal or destroy the relevant evidence;
3. Where they believe they would be victimised by the School;
4. Where the Secretary of State has ordered it.

## **Malicious Accusations**

False, malicious, vexatious or frivolous accusations will be dealt with under the SGW's Disciplinary Procedure.

## **Protection from Reprisal or Victimisation**

No member of staff will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and following the Whistleblowing procedures.

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## **Inventions, Patents, Copyrights**

You are required to inform the School immediately of any invention, improvement, discovery, process, design or copyright which you create or obtain whilst in the School's employ or as a consequence of it. This will become the absolute property of the School except as otherwise stated by statute. You irrevocably waive all moral rights under the Copyright, Designs and Patents Act 1988 in any existing or future works created by you.

This policy should be displayed in:

S:\ SGW Policy_and_Procedure_Index	<a href="http://www.stgeorgesweybridge.com/further-information/school-policies-">http://www.stgeorgesweybridge.com/further-information/school-policies-</a>
ISI Portal	