

Policy/Procedure Cover Sheet

Policy/Procedure	Whistleblowing Policy		
Type	Safeguarding		
Applies to project(s)	Watermelon Independent Schools	Policy No	S/05
Created by(owner)	Z Jonah		
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Change History

Version	Description	Date issued	Reason	Approved by
1.0	New policy	18/07/2024	New school	ZJ

Policy Ref No.	Policy Name	Policy Ref No.	Policy Name
S/01	Child Protection and Safeguarding	HR/09	Staff Behaviour (Code of Conduct)
S/03	Recruitment and Selection	OP/18	Searching, Screening and Confiscating
OP/09	Complaints Policy and Procedure		

Whistleblowing Policy and Procedure contents:

1. Introduction
2. Definition
3. Safeguards
4. Reporting concerns to the school
5. Wider disclosure
6. Responding to a concern
7. Whistleblowing procedures
8. Recording, monitoring, and evaluation
9. Staff Training

Appendix

- 1 Contact details of LADOs from commissioning local authorities
- 2 Logging a Concern: Yellow Form

This policy should be read in conjunction with the following policies:

- i. Complaints Policy and Procedure
- ii. Child Protection and Safeguarding Policy
- iii. Safer Recruitment and Selection
- iv. Searching, Screening and Confiscating
- v. Staff Behaviour (Code of Conduct)

1. Introduction

1.1 It is important for children to receive the right help at the right time to address safeguarding risks, prevent issues escalating and to promote children's welfare. Research and serious case reviews have repeatedly shown the dangers of failing to take effective action. Further information about serious case reviews can be found in Chapter four of [Working Together to Safeguard Children](#). Examples of poor practice include:

- i. failing to act on and refer the early signs of abuse and neglect
- ii. poor record keeping
- iii. failing to listen to the views of the child
- iv. failing to re-assess concerns when situations do not improve
- v. not sharing information with the right people within and between agencies
- vi. sharing information too slowly
- vii. a lack of challenge to those who appear not to be taking action.

1.2 Staff who are concerned about the conduct of a colleague towards a pupil are undoubtedly placed in a difficult position. They may worry that they have misunderstood the situation and they will wonder whether a report could jeopardise their colleague's career.

1.3 It does not matter that an individual, who raises a concern, is mistaken about it – staff do not have to prove anything about the allegation they are making. However, they must reasonably believe two things:

- i. **They are acting in the public interest:** the concern raised, adversely affects the welfare of children, third parties or the public at large; as opposed to the welfare of a private individual or company. This does not include personal grievances and complaints about employment e.g., terms and conditions, relationships or working practices, which are addressed under other procedures.
- ii. **The disclosure highlights past, present, or likely future wrongdoing** falling into one or more of the following categories:
 - criminal offences (this may include, for example, financial impropriety such as bribery, corruption, fraud, and tax evasion)
 - failure to comply with an obligation set out in law or a professional code of conduct
 - amounts to a miscarriage of justice
 - endangers the health and safety of children, staff, visitors, or other members of the public
 - endangers or damages the environment
 - a breach of Watermelon Independent Schools's policies, procedures, and guidance
 - any behaviour that falls below established standards of good practice
 - any attempt to cover-up wrongdoing in the above categories.

- 1.4 All staff have protection under UK whistle blowing laws if they raise concerns in the correct way; and we are committed to ensuring that all disclosures will be dealt with appropriately, consistently, fairly, and professionally.
- 1.5 This policy enables staff to raise concerns or allegations in confidence and for a sensitive enquiry to take place.
- 1.6 Watermelon Independent Schools takes responsibility for ensuring that all staff are aware of whistleblowing policy and procedures and made to feel comfortable that they can voice their concerns no matter what the circumstances.
- 1.7 This policy and all associated procedures apply to all staff and should be read in conjunction with other safeguarding and employment.

2. Definition of 'whistleblowing'

- 2.1 Whistleblowing inside the workplace is defined as the reporting by workers or ex-workers of wrongdoing, such as fraud, malpractice, mismanagement, breach of health and safety law, or any other illegal or unethical act either on the part of management, the governing body, or fellow employees. Workers may include volunteers, contractors and outside agencies or others.

3. Safeguards

3.1 Harassment or victimisation

- 3.1.1 The decision to report a concern can be a difficult to make, not least because of the fear of reprisals from those responsible for the malpractice. Watermelon Independent Schools will not tolerate harassment or victimisation and will take all possible measures to protect employees who raise concerns in good faith.
- 3.1.2 Harassing or victimising a 'whistle blower,' or instructing, causing, or encouraging others to do so will be treated as gross misconduct. Employees found to be engaging in this behaviour will be subject to disciplinary action and may be dismissed.

3.2 Confidentiality

- 3.2.1 Watermelon Independent Schools will, as far as possible, protect the identity of employees who raise concerns and do not want their name to be disclosed. However, it must be appreciated, that the investigation may reveal the source of the information, and statements made by the employee may be required as part of the evidence.
- 3.2.3 We encourage employees to put their name to allegations made. Concerns expressed anonymously are much less powerful, but they will be considered after the following factors have been taken into account:
 - i. the seriousness of the issue raised
 - ii. the credibility of the concern
 - iii. the likelihood of confirming the allegation from other attributable sources
 - iv. the possibility of false or malicious or allegations
- 3.2.4 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.

3.2.5 Confidentiality is a priority throughout any investigation, and continues to be once the investigation is over, and we urge staff to closely follow all guidelines relating to confidentiality. Any member of staff that has acted knowingly against this, or revealed confidential information unnecessarily or for vicious reasons, may face prosecution.

4. Reporting concerns to the school

4.1 Watermelon Independent Schools has processes and procedures in place to manage any safeguarding concerns about staff members (including supply staff, volunteers, and contractors). If staff have safeguarding concerns or an allegation is made about another member of staff posing a risk of harm to children, then:

- i. this should be referred to the head teacher who is also the DSL for the school
- ii. where there are concerns/allegations about the head teacher, these should be referred to the proprietor, who will appoint an appropriate investigating officer
- iii. where there are concerns about the proprietor, these should be directed to the local authority designated officer(s) LADO. Contact details can be found in Appendix 1.
- iv. concerns can also be directed to the local authority designated officer(s) LADO.

4.2 Concerns should be reported in detail by completing the form: *Logging a concern about the behaviour of a member of staff or volunteer (the yellow form)* immediately. These forms are available from the school office, staffroom and staff toilet. Concerns should describe the following:

- i. background and history of the concern
- ii. names, dates, and places (where possible)
- iii. reason(s) why the employee is concerned about the situation

4.3 An employee who feels unable to put their concerns in writing, can speak directly with the appropriate member of staff.

4.4 **ALL** concerns, including those which may be considered '**low-level,**' **MUST** be reported in line with the school's safeguarding and child protection policies and procedures.

4.5 All concerns will be listened to and taken seriously by the school. All concerns should be reported; the school will then decide to what extent the concern requires investigation.

5. Wider disclosure

5.1 Watermelon Independent Schools encourages all staff to follow the internal procedures outlined in this policy, but understands that in some cases, staff may feel it necessary to take concerns to external authorities. This should, however, be done only as a last resort. Staff should only approach external authorities regarding their concerns without discussing them internally first, if:

- i. they feel that they are being discriminated against and that there is no internal authority that can be contacted with the school
- ii. they reasonably believe that they will be victimised if they follow internal procedures for whistleblowing
- iii. they believe that the concern that they have raised has not been taken seriously or acted upon correctly.

- 5.2 Should employees feel unable to approach the school about their concern, they can contact the regulator (Ofsted) directly, using the contact details below:

Ofsted Whistle Blowing hotline Telephone: 0300 123 3155 (Monday to Friday from 8.00am to 6.00pm)

Email: whistleblowing@ofsted.gov.uk

Address: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester. M1 2WD

- 5.3 The following authorities may also provide advice or support:

- i. the <https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/report/> dedicated helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their school or college. Telephone 0800 028 0285 (8.00 am to 8:00 pm, Monday to Friday) email: help@nspcc.org.uk
- ii. the independent whistleblowing charity Protect (formerly Public Concern at Work). For further information, please see their website at <https://protect-advice.org.uk/>. Telephone Protect Advice Line: 020 3117 2520 (* option 1) email: whistle@protectadvice.org.uk
- iii. general guidance on whistleblowing can be found via: [Advice on Whistleblowing](#)
- iv. other regulatory organisations e.g. The Health and Safety Executive You can access the HSE Workplace Concerns Form using the following link: <http://webcommunities.hse.gov.uk/connect.ti/concernsform/answerQuestionnaire?qid=59147>
- v. relevant professional bodies or trade unions
- vi. the police

6. Responding to a concern

- 6.1 The action taken by Watermelon Independent Schools, will depend on the nature of the concern and the evidence available. The matter may, for example, be investigated internally or referred to the Designated Officer (DO/ LADO) and/or the police.
- 6.2 A meeting will be arranged as soon as possible, and within 3 working days, to discuss the concerns raised. Employees may bring a companion to any such meeting. However, the companion must respect the confidentiality of the disclosure and any subsequent investigation. Further information about the concern raised may be requested either at this meeting or at a later stage.
- 6.3 Whistle blowing concerns associated with allegations of child abuse or safeguarding must be referred to children's social care and the referring authority, in accordance with Watermelon Independent Schools' 'Child Protection and Safeguarding Policy.' All other whistle blowing concerns must be recorded in the Whistle Blowing Record Book.
- 6.4 Initial enquiries will be made to decide whether an investigation is appropriate; and, if so, what form it should take. Some low-level concerns may be resolved by agreed action, if the employee who raised the concern is satisfied that will resolve the concern.
- 6.5 Within 10 working days of a concern being received, the head teacher will write to the employee who raised the issue:

¹ Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London, EC2A 3NH

- i. acknowledging the concern raised
 - ii. indicating how the concern will be dealt with
 - iii. explaining what further investigations, will take place, and if none, the reason for this
 - iv. providing an estimate of how long it will take to provide a final response (where possible).
- 6.6 Employees will be kept informed of any progress and, subject to legal or contractual constraints, employees will be told the outcomes of any investigations and/or the reason why they cannot be told the full information.
- 6.7 Given the nature of anonymous disclosures, Watermelon Independent Schools will not generally be able to provide feedback to those raising the concern.

7. Whistleblowing procedures

7.1 The role of the whistle blower

Concerns will usually be dealt with in this way:

- i. Staff will raise their concern with the head teacher who is also the DSL, or if the concern is about the head teacher, the proprietor. Staff will be dealt with in confidence and invited to an interview to discuss the allegation
- ii. The head teacher, or if the concern is about the head teacher, the proprietor, will decide upon the next course of action
- iii. Should the member of staff making the complaint, or raising the concern, feel unable to speak to any member of the school they should contact the local authority designated officer (LADO) or Ofsted.

8 Role of the head teacher

- 8.1 Once an allegation has been brought to their attention, the head teacher will hold an interview with the person making the allegation, in confidence. This will take place immediately if there is concern that a child is at risk of harm, or within 3 working days if this is not the case. During this interview they will gather, and record, key information about the basis of the allegation.
- 8.2 The head teacher will decide whether any external authorities need to be reported to on the matter, or whether it is a case for internal investigation.
- 8.3 Within 10 working days of a concern being received, the head teacher will write to the employee, who raised the concern at their home address:
- i. acknowledging the concern raised
 - ii. indicating how the concern will be dealt with
 - iii. explaining what further investigations, will take place, and if none, the reason for this
 - iv. providing an estimate of how long it will take to provide a final response (where possible.)
- 8.4 If it is decided that no further action will be taken this may be because:
- i. the head teacher does not feel that there is enough evidence to warrant a continued investigation and that is unlikely that any malpractice has occurred or will occur
 - ii. there is a belief that the whistle blower is not acting in good faith

iii. the matter has already been raised and is being investigated.

9. Recording, monitoring and evaluation

- 9.1 Staff involved with any allegation or investigation should keep detailed records of meetings attended, discussions held, and outcomes or action points decided.
- 9.2 The designated senior member of staff with overall responsibility for the implementation, monitoring and evaluation of the 'Whistle Blowing Policy' is the head teacher.
- 9.3 The head teacher will review and evaluate all allegations to prevent similar future cases and to ensure that procedures are being used correctly and are effectively.
- 9.4 Watermelon Independent Schools is committed to training all staff on key aspects of whistle blowing law and our policy and procedures.
- 9.5 For further information and advice on **whistle blowing**, please refer to the following links:
- i. [Whistleblowing for employees](#) GOV.UK
 - ii. [Whistle-blowing - Public Interest Disclosure](#) ACAS
 - iii. [Individual Advice](#) Protect (formerly Public Concern at Work)

Appendix 1

Contact details of LADOs from commissioning local authorities

Birmingham Local Authority

- LADO – 0121 675 1669 or email: ladoteam@birminghamchildrenstrust.co.uk

Coventry Local Authority

- LADO – 02476 975483 or email lado@coventry.gov.uk

Solihull Local Authority

- LADO – 0121 788 4310 or email lado@solihull.gov.uk

Staffordshire Local Authority

- LADO – 0300 111 8007
- <https://staffsscb.org.uk/procedures/allegations-of-abuse-against-a-member-of-staff-lado/>

Warwickshire local Authority

- LADO - 01926 745376 or email lado@warwickshire.gov.uk

Appendix 2

**Logging a concern about the behaviour of a member of staff or volunteer
(yellow form)**

This form must be completed in black ink.

(N.B. This form should be used for recording and reporting all allegations of abuse by and all concerns about the behaviour of staff and volunteers that are in breach of the Staff Behaviour policy (code of conduct). All allegations and all such concerns must be reported to the Head teacher* without delay)

About the member of staff or volunteer whose behaviour is causing concern or is subject of the allegation:	
Name (print):	
Job Title (print):	
Date (of writing this record):	Time (of writing this record):
About the person reporting the concern/allegation and completing this form:	
Name (print):	
Job Title (print):	
Signature:	
What is the nature of the specific allegation or concern about behaviour (brief headline)?	
Record the following factually: When? (date & time of incident); What exactly has raised your concern (what happened, what did you see/hear/find out or what were you told)? Where did your concerns arise? Who else - were any pupils or other staff present or involved? N.B. Please record any direct disclosures/statements/ allegations/comments using the child or adult's exact words in quotation marks	
NB if additional pages are used, these must be attached securely to this form	

<p>Did you do anything or speak to anyone else before reporting the incident/concern to the head teacher* (if yes, please provide names and details)?</p>
<p>Any other relevant information:</p>
<p>Date and time incident/concern was first shared with head teacher* N.B. It is not necessary to complete this form before speaking to the head teacher* – the circumstances may mean you need to speak to the head teacher* first as a matter of priority:</p> <p>Date:</p> <p>Time:</p>

Check to make sure your report is clear; and will be clear to someone else reading it next year

NOW PLEASE PASS THIS FORM TO THE HEADTEACHER*
(head teacher to complete sections overleaf)*

** In the event that the allegation/concern is about the head teacher, this form must be passed to the Proprietor, who should complete the second part of the form.*

(Following sections to be completed by head teacher)*

<p>Time & date information received by head teacher*, and from whom</p>	
<p>Action taken (e.g. discussion with LADO; PoT MARF submitted to LADO; advice taken from HR / Legal/ Proprietor)</p>	

Date, time, name, role, organisation advice provided by	
If decision not to refer to LADO, state reason	
Parents informed? Yes/ no	
State reasons if no	
Outcome (e.g., Referral to LADO, PoT meeting convened, HR advice taken, Police investigation, internal investigation, informal management advice given and recorded, no further action)	
Signed	
Printed Name	
Date	

Signature, date, and time when member of staff submitting this form received confirmation of receipt of report/allegation from head teacher*