



ALIS VOLAT PROPRIIS'

SEATON HOUSE SCHOOL

WHISTLEBLOWING POLICY

REVIEWED: SEPTEMBER 2019
NEXT REVIEW DATE: SUMMER 2020
REVIEWED BY: HEAD & SLT
RATIFIED BY: GOVERNORS

This Policy includes the Nursery and Early Years Foundation Stage

1: INTRODUCTION

Seaton House School is committed to the highest standards of openness, probity and accountability. An important aspect of accountability and transparency is a mechanism to enable staff and other members of Seaton House School to voice concerns in a safe, responsible and effective manner. There is a culture of safety and of raising concerns. Staff are valued and the School is reflective in its practice. This Policy and procedure applies to any person working at Seaton House School and the School's Governors. Other individuals performing functions in relation to the organisation, such as contractors, should also have access to it. There may be occasions when staff wish to raise concerns. This Policy and procedure sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Seaton House is charged with safeguarding and protecting the welfare of children and young people in its care. It has a duty of care to all staff, volunteers and other adults. It is committed to dealing responsibly, openly (transparently) and professionally, with any genuine concerns. Training in whistleblowing takes place annually at the September INSET and also as part of staff induction.

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 the School:

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

The law provides protection for employees who raise legitimate concerns about specified matters. Concerns may be about:

- Child safeguarding/child protection issues;
- Potential failures in the School's safeguarding regime;
- Malpractice (poor or unsafe practice) – be it a danger to an individual, pupils, parents/carers and staff working in the establishment;
- Financial malpractice;
- Breach of legal obligations to others;
- Danger to Health and Safety;
- Incidents of bullying, harassment or other breach of equality and diversity policies;
- Concealment of any of the above.

It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be committed. A reasonable belief is sufficient. The employee has no responsibility for investigating the matter; it is the School's responsibility to ensure that an investigation takes place.

Seaton House School recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those responsible. Seaton House School will do all in its power to make certain that an individual will suffer no recrimination or victimisation as a result of raising a genuine concern about malpractice.

2: PRINCIPLES

- 2.1 Any matter raised under this Policy and procedure will be investigated thoroughly, promptly and confidentially. Whilst the School will aim to keep the employee informed of the progress of the investigation and likely timescales, sometimes the requirement for confidentiality will prevent full information about the investigation and any consequential disciplinary action from being disclosed.
- 2.2 No employee will be victimised for raising a matter under this Policy. This means that the continued employment and opportunities for future promotion or training of the employee will not be prejudiced because he/she has raised a legitimate concern.
- 2.3 Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.
- 2.4 If misconduct is discovered as a result of any investigation under this Policy, the matter will be considered under the School's disciplinary procedure, in addition to any appropriate external measures.
- 2.5 Individuals are reminded that maliciously making a false allegation is a disciplinary offence.
- 2.6 An instruction to cover up wrongdoing is in itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority, employees should not agree to remain silent.

3: RESPONSIBILITIES

All School Staff are responsible for raising concerns. This should be regarded as a professional and moral obligation, and in no way an infringement of the rights of others. The Policy cannot operate without full awareness and cooperation of all staff members. The simple fact is that in many cases a member of staff may suspect something is going wrong, long before school managers find out about it. In worst cases, this may not be until an accident has happened, or serious damage has been caused.

- 3.1 Any individual covered by this Policy will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the Head (or the Chair of

Governors if the concerns relate to the Head) any serious impropriety or breach of procedure.

- 3.2 Employees who do not follow the steps identified in this procedure or other agreed internal procedures, and take their concerns to other outside sources (e.g. the press and social media), may be subject to a formal disciplinary investigation.
- 3.3 This Policy does not form part of any employee's contract of employment and it may be amended at any time. The School may also vary any time limits as appropriate in any case.

4: RAISING CONCERNS

Please tell a member of the SLT or the DSL at the earliest opportunity.

Where the concerns are about **safeguarding children or young people**, the School's named Lead DSL must be notified. The below procedure should be followed:

- Concerns about a child – contact the Lead DSL
- Concerns about a child and a member of staff – contact the Head
- Concerns about the Head – contact the Chair of Governors.

Designated Safeguarding Lead information:

Named Lead DSL Lesley Wilson deputy@seatonhouse.sutton.sch.uk
Deputy DSL Ruth Darvill head@seatonhouse.sutton.sch.uk
Sarah McGreevey sarahm@seatonhouse.sutton.sch.uk

Where there is a concern regarding the Head, this should be passed on to the Chair of Governors without informing the Head first. Chair of Governors Judith Evans:
jevans.gov@seatonhouse.sutton.sch.uk

Concern about a colleague's professional capability should **not** be dealt with using this Policy.

5: USING THIS POLICY

This Policy and procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, breached he/she should use the School's grievance procedure.

- 5.1 This Policy and procedure is not designed to replace or be used as an alternative to the School's grievance procedure, which should be used where an employee is only aggrieved about their own situation. This Policy and procedure will also not apply where the employee simply disagrees with the way the School is run.
- 5.2 Employees must have reasonable grounds for believing the information they have is accurate and not just idle gossip or rumour.

- 5.3** An employee who is not sure whether the conduct he/she is concerned about does constitute illegal or improper conduct or is unsure about how to proceed should contact a member of the SLT.
- 5.4** Financial regulations require that any suspicion of fraud, corruption or other financial irregularity must first report any suspicion of such an irregularity to the Head or Chair of Governors.

6: PROTECTION

This Policy is designed to offer protection to those employees of Seaton House School who disclose such concerns provided the disclosure is made:

- In good faith;
- In the reasonable belief of the individual making the disclosure that it tends to show malpractice or impropriety and if they make the disclosure to an appropriate person (see below).

It is important to note that no protection from internal disciplinary procedures is offered to those who choose not to use the procedure. In an extreme case malicious or wild allegations could give rise to legal action on the part of the persons complained about.

6.1 Confidentiality

Seaton House School will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required. If there is evidence of criminal activity, then the Police will, in all cases, be informed.

6.2 Anonymous Allegations

This Policy encourages individuals to put their name to any disclosures they make but the School recognises any request for anonymity.

6.3 Untrue Allegations

If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. In making a disclosure the individual should exercise due care to ensure the accuracy of the information. If, however, an individual makes malicious or vexatious allegations, and particularly if he or she persists with making them, disciplinary action may be taken against that individual.

7: PROCEDURE

The earlier a concern is reported the easier it is to take action. As a first step concerns should normally be raised with the Head (who may delegate responsibility to a member of the SLT or the DSL). Where there is a concern regarding the Head, it should be passed on to the Chair of Governors without informing the Head first. Concerns are better raised in writing. Individuals are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why they are particularly concerned

about the situation.

Although you are not expected to prove the truth of an allegation, staff members will need to demonstrate to the person contacted that there are sufficient grounds for their concern. They may invite their trade union or professional association to raise a matter on their behalf.

7.1 How the School will respond

The action taken by Seaton House School will depend on the nature of the concern. The matters raised may:

- Be investigated internally;
- Be referred to the Police;
- Be referred to Sutton Child Protection Services;
- Form the subject of other inquiries.

In order to protect individuals and the School, initial enquiries will be made to decide whether an investigation is appropriate (except for safeguarding allegations against a member of staff in which case the Local Authority Designated Officer (LADO Sima Hirani:020 8770 4776 will be contacted within one working day and before any investigations take place) and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (such as safeguarding children) will normally be referred for consideration under those procedures. The School will give due weight to the views of the LADO and to the Policy when making a decision about further action. Some concerns may be resolved by agreed action without the need for investigation.

Within ten working days of a concern being received, the School (insofar as it is practical and able to do so) will write to you:

- Acknowledging that the concern has been received;
- Indicating how it proposes to deal with the matter;
- Giving an estimate of how long it will take to provide a final response.

The amount of contact between the members of SLT considering the issues and the individual raising the concern, will depend on the nature of the matters raised the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought.

When any meeting is arranged, the staff member has the right, if they so wish, to be accompanied by a Trade Union or professional association representative or a friend. This is permitted as long as the third party is not involved in the issue.

Seaton House will take steps to minimise any difficulties which the staff member may experience as a result of raising a concern. The School will take appropriate steps to maintain confidentiality and guard against unwanted publicity.

The School accepts that a whistleblower would like assurance that the matter has been properly addressed. To the extent possible and at the discretion of the Head, the whistleblower will receive information about the outcome of any investigations.

7.2 External Procedures

Where all internal procedures have been exhausted, or the response from the School is unsatisfactory, 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 LADO (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:

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

8: EXTERNAL CONTACT NUMBERS

Staff can seek advice from:

- Public Concern at Work on 020 3117 2520 www.pcaw.org.uk
- Charity Commission website which gives whistle blowing advice.
- NSPCC Whistle blowing 0800 028 0285, or help@nspcc.org.uk

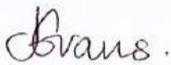
Ratified by Governors September 2019

Signed



Head...Mrs Ruth Darvill

Chair of Governors.....



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