



Stormont School

7b WHISTLEBLOWING POLICY

**(see also Staff Code of Conduct,
Safeguarding and Child Protection Policy,
Staff Handbook)**

**Last reviewed Sept 2023
Next review due Sep 2024
Published by the Deputy Head
Reviewed Annually**

The policy will be published on the website for current and prospective parents, governors, volunteers and staff.

Stormont School - Whistleblowing Policy

INTRODUCTION

Stormont School expects the highest standards of conduct from all staff (as defined in the ISSRs) and will treat seriously any concern that a member of staff or any other adult (for example a volunteer, parent, pupil, contractors or visitors) may have about illegal or improper conduct. Staff will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the Head any serious impropriety or breach of procedure.

PURPOSE OF PROCEDURE

Stormont school 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 malpractice: i.e., improper conduct, health and safety breaches, criminal offences, miscarriages of justice, damage to the environment and failure to comply with legal obligations which have occurred or are likely to occur. It also covers the safeguarding of children. The policy also provides, if necessary, for such concerns to be raised outside the organisation.

The procedures laid out will allow staff to voice their concerns in the knowledge that these will be taken seriously and investigated thoroughly and impartially and there will be no repercussions against staff that raise matters in good faith. The procedure therefore aims to act as a deterrent to serious malpractice and also enables the school to avoid public criticism should such matters become public knowledge.

The procedure is not a substitute for normal line management processes but in addition to them. Staff should always first consider using normal line management for raising concerns. This procedure should only be used where all other existing internal procedures are felt to be inappropriate or when a member of staff feels inhibited in going through normal line management.

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 the School :-

- Will not tolerate malpractice;
- 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 invoke the Stormont's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations;
- Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.

WHAT IS WHISTLEBLOWING?

A 'whistleblower' is someone who discovers something that is wrong and alerts their employer or the relevant authorities to what is going on. The law protects whistleblowers from their employer subjecting them to detriment or dismissal by reason of their having "blown the whistle" and from detrimental treatment by their colleagues. To be protected by the law, the act of whistleblowing must fall within the legal rules and the whistleblower must reasonably believe that their disclosure of wrongdoing is made in the public interest. This school promotes a culture of safety and raising concerns. We value our staff and pupils and wish to encourage reflective practice.

The Whistleblowing Policy gives staff clear guidance and procedures for reporting and handling concerns, including about poor or unsafe practice and potential failures in the school's safeguarding regime and provision for mediation and dispute resolution where necessary. Where a staff member feels unable to raise an issue with the school or feels that their concerns are genuinely not being addressed, other whistleblowing channels may be open to them. General guidance can be found at <https://www.gov.uk/whistleblowing> or they can use the NSPCC whistleblowing helpline (Tel: 0800 028 0285 – line is available from 8:00am-8:00pm, Monday to Friday and email: help@nspcc.org.uk).

WHEN SHOULD THIS PROCEDURE BE USED?

This procedure is separate from the Stormont's adopted procedures regarding grievances. Staff should not ordinarily 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 malpractice or anticipated malpractice within the Stormont.

Malpractice within the categories listed above is not easily defined; however, it includes allegations of improper conduct, fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, criminal activities, or failing to comply with a legal obligation, allowing private interests to override the school's interests, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment. This procedure can be used where there are serious concerns such as:

Child protection issues

Conduct which is an offence or breach of law (e.g. Fraud)

Risks to health and safety

Damage to the environment

Unauthorised use of public funds

Financial malpractice, fraud and corruption

Harassment, discrimination or victimisation of others

Other unethical conduct, (including any attempts to cover up the above or any offence likely to be committed).

Being under the influence of drugs and alcohol

Staff should not unduly delay raising their concern. The seriousness of the issue will influence who you decide to raise it with. It may be:

- Your immediate line manager
- The Headteacher - Louise Martin
- The Designated Safeguarding Lead (for child protection issues) - Alexis Sobell
- Your Local Authority Designated Officer (LADO) (for child protection issues)
- The Chair of your Governing Body - Andrew Newland

CONFIDENTIALITY

Staff 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. They will be supported, listened to and respected throughout. They will be offered help to access support externally as required. Once an employee/worker has raised a concern, the Headteacher (or Chair of Governors) will carry out, within 10 working days, an initial assessment to determine the scope of any investigation. The employee/worker will be informed of the outcome of this assessment. The employee/worker raising the concern may be required to attend additional meetings in order to provide further information.

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.

Stormont School - Whistleblowing Policy

A member of staff who is not satisfied that their concern is being properly dealt with, or who feels unable to raise the concern with those identified above, will have a right to raise it, in confidence, with the Board of 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) IAPS, GSA, 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, broadly, the employee 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.

There are stringent and detailed conditions to be satisfied before a disclosure outside the Stormont can be properly made and members of staff are advised that they should satisfy themselves about these and take great care before exercising this right.

It will rarely, if ever, be appropriate to make any external disclosure to the press, through social media or other public channels. Talking such steps may result in disciplinary action.

Employees or workers who believe that the matter has not been taken seriously or is being covered up may choose to report the concern externally to an appropriate body details of which are shown below:

- the Local Authority
- a Prescribed Person or Body (eg. ISI, Education Funding Agency, Children Commissioner or NSPCC

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-peopleand-bodies>

If the employee/worker is unsure and wishes to seek support they may wish to speak to their trade union. If the employee/worker wishes to access advice then they may wish to speak to the Public Concern at Work charity via e-mail whistle@pcaw.org.uk or telephone (020 7404 6609).

MALICIOUS ACCUSATIONS

Malicious, vexatious, knowingly false or frivolous accusations will be dealt with under the School's Disciplinary Procedure.

PROTECTION FROM REPRISAL OR VICTIMISATION

No member of the 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.

PURPOSE OF THE PROCEDURE ~ SAFEGUARDING CHILDREN (CHILD PROTECTION)

Where the concerns are about safeguarding children or young people, the school's Designated Safeguarding Lead for Child Protection should be notified. At Stormont, the Deputy Head (Alexis Sobell) is the DSL, the Head of Pre-Prep, the Head of Learning Support, Head of Humanities and the Headteacher are the Deputy DSLs. All members of staff are reminded that there is a separate Safeguarding Children (Child Protection) Policy.

All staff have a duty to report concerns about the safety and welfare of pupils.

Stormont School - Whistleblowing Policy

Concerns about any of the following should be reported to the school's Designated Safeguarding Lead for Child Protection (DSL): *see details above*.

- physical abuse of a pupil
- sexual abuse of a pupil
- emotional abuse of a pupil
- neglect of a pupil
- an intimate or improper relationship between an adult and a pupil
- FGM
- Up skirting
- Radicalisation
- Inappropriate staff conduct

The reason for the concern may be the actions of a colleague (including a more senior colleague), a governor, another pupil or someone outside the School. Whatever the reason, concerns must be reported.