

Whistleblowing

Policy and Procedures

Avenue House School



Approved by: Governors & Headteacher

Review date: September 2026

Next review date: September 2027

1. Purpose of this Policy

1.1 This policy provides information to help staff (which includes the Head Teacher, Governors, teaching and support staff, including temporary staff and all volunteers who do not fall under visitor procedures, hereafter 'staff') to understand the role of whistleblowing. It is hoped and expected that concerns about poor, inappropriate or unsafe workplace practice, including unacceptable conduct and attitudes towards children, will be raised promptly and handled effectively through the school's standing procedures, yet the whistleblowing policy provides another route way for such concerns to be raised and heard. The legal framework under which staff may raise concerns is laid out in the Public Interest Disclosure Act (1998) and the Enterprise and Regulatory Reform Act (2013). This policy aims to support staff in appropriately reporting any concerns in these areas.

1.2 This policy is intended to support the School's aims to promote a culture of safety and of raising concerns, of valuing staff and of reflective practice. Furthermore, it is intended to provide transparency and accountability in relation to how concerns are received and handled. For these reasons, all staff will be made aware of this policy through the Staff Code of Conduct and new staff will be informed of the procedures as part of their induction.

1.3 The primary area of concern relates to children's welfare and safeguarding. In such cases, this document should be read in conjunction with the Safeguarding and Child Protection Policy and Procedures.

1.4 The key principles of which staff should be aware are laid out in statutory guidance: KCSIE, Part One and Annex B of which all members of staff should read and sign to confirm that they have understood the contents.

2. When to use this policy

2.1 In general, whistleblowing concerns relate to wrongdoing, fraud or misconduct at work. Where the concerns relate to children's welfare and safeguarding, staff should also be aware of and follow the guidance set out in the Safeguarding and Child Protection Policy and Procedures concerning the process to be followed in the event of an allegation against a member of staff or volunteer of abuse.

2.2 The whistleblowing procedures and this policy may be used by anyone employed by the School in a paid or voluntary capacity who believes they have reason to suspect that one or more person(s) involved with the school might have committed:

- a crime or other unlawful act or miscarriage of justice
- a discriminatory act or other substantive breach of the School's Equal Opportunities Policy
- substantive breach of the School's Health and Safety Policy; damage to the environment or property
- unauthorised use of School funds or other fraud
- any other act constituting possible gross misconduct (see the School's disciplinary procedure)
- inappropriate or harmful conduct towards a child (or children), including but not confined to:
 - a. bullying, humiliation, or any other kind of abuse
 - b. contravening health and safety guidelines in place to protect children
 - c. serious breaches of the Staff Code of Conduct
 - d. professional practice that falls short of normally accepted standards
 - e. compromising pupils' welfare but in a way that does not meet the threshold for child protection intervention or
 - f. they have concealed or are attempting to conceal any of the above.

The list above is intended to be indicative rather than exhaustive; there may be evidence of other kinds of behaviour not explicitly outlined above which justifies whistleblowing.

3. Reasons for whistleblowing

3.1 In terms of children's welfare and safeguarding, all staff have a responsibility to provide a safe environment in which children can learn. All teachers share responsibility for safeguarding children's wellbeing and maintaining public trust in the teaching profession as part of their professional duties. Staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the School's safeguarding regime.

3.2 More widely, it is important that wrongdoing, fraud or misconduct are confronted. Apparently minor incidents may escalate with serious consequences. Reporting concerns deters any suggestion of collusion in poor practice and ensures that the School is able to address problems promptly and openly.

3.3 Whistleblowing can also support the member of staff who is the subject of the concern. Their conduct may result from inexperience or lack of training that can be addressed by the school, or they may be under stress and be relieved when their conduct is questioned. Those who deliberately fail children and show no remorse or desire to improve are unlikely to welcome being exposed, but their conduct has to be confronted for the sake of the child and the welfare of the whole school community.

4. Barriers to whistleblowing

4.1 All staff should be aware that children's welfare is paramount, and that in cases relating to children's welfare and safeguarding other considerations should not apply.

4.2 In terms of whistleblowing regarding other issues, individuals may worry that they have insufficient evidence to raise a concern; that they will set in train an unstoppable chain of events; that there will be adverse repercussions for their career; that they may suffer harassment or victimisation; or that their suspicion or concern might be misplaced. These concerns are entirely understandable, but staff should be reassured that whistleblowing procedures address these issues.

4.3 The Public Interest Disclosure Act 1998 and subsequent amendments protect employees from reprisals for public-interest whistleblowing. Unions, solicitors or the local authority legal services can provide information about the legal position. In particular, a person making a disclosure is protected in law provided they:

- do so in good faith
- reasonably believe that the information disclosed, and any allegation contained in it, are substantially true

5. Confidentiality and anonymity

5.1 In terms of children's welfare and safeguarding, the principles of confidentiality are laid out in the Safeguarding and Child Protection Policy and Procedures. Child protection issues warrant a high level of confidentiality, not only out of respect for the child and staff involved but also to ensure that any information released into the public domain does not compromise evidence.

5.2 In other whistleblowing cases, all concerns will be treated in confidence to the extent possible, but absolute confidentiality cannot be guaranteed in all eventualities.

5.3 Staff may raise concerns anonymously. However, this carries additional risks. It is harder to investigate anonymous concerns; it is easier to get protection under the Public Interest Disclosure Act if the concerns are raised openly; and it does not stop others from successfully guessing who raised the concern. Usually, the best way to raise a concern is to do so openly. The school would need to decide whether the levity and credibility of the concern warrants investigation if the source of the concern, and the key evidence, is not readily available.

5.4 The school will fully support staff and do all it can to protect them from any adverse repercussions that may arise from whistleblowing. Allegations that prove to be deliberately fabricated and malicious will be dealt with through staff disciplinary procedures. However, no action will be taken against any member of staff who raises a genuine concern that proves to be unfounded.

6. Reporting Procedure

6.1 It may help if you write down, for your own benefit, what you have observed or heard that is causing alarm. One useful way to decide whether your concern should be reported is to consider whether you would want the conduct of this member of staff to continue unchecked if your own child or another young family member was in his or her care. You may raise your concern verbally or in writing.

6.2 If the concern is in the realm of children's welfare and safeguarding, staff should follow the procedures laid out in the Safeguarding and Child Protection Policy and Procedures. This states that all allegations, complaints, concerns or suspicions against staff or volunteers including any made against the DSL should be reported directly to the Head Teacher, or in her absence, to the Governor with responsibility for Safeguarding.

Allegations, complaints, concerns or suspicions pertaining to the Deputy DSL should also be reported to the Governor with responsibility for Safeguarding.

6.3 All allegations, complaints, concerns or suspicions about the Head Teacher should be reported to the Governor with responsibility for Safeguarding without the Head Teacher being informed.

6.4 Where the matter includes concerns about a child, the Head Teacher (or Governor with responsibility for Safeguarding) will also inform the Designated Safeguarding Lead (DSL), or, if the DSL is the subject of the allegation, the Deputy DSL.

6.5 If at any point there is a risk of immediate or serious harm to a child, a referral should be made to Children's Social Care immediately (see contact details in the Safeguarding and Child Protection Policy and Procedures). Anybody can make a referral. If the child's situation does not appear to be improving, the staff member with concerns should press for reconsideration. Concerns should always lead to help for the child at some point.

6.6 Issues relating to wrongdoing, fraud or misconduct should be addressed to the Head in the first instance. If there are concerns about doing so, or about the process of any investigation once raised, staff should follow the School's reporting hierarchy as laid out above to take the matter further.

6.7 If the staff member cannot tell any member of the School's reporting hierarchy, they should contact a relevant prescribed person or body. A list of prescribed persons can be accessed at: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies>

6.8 A staff member should only tell a prescribed person or body if they think the employer:

- will cover it up
- would treat them unfairly if they complained
- has already been told and has failed or refused to address the matter appropriately

6.9 Staff members who decide to blow the whistle to a prescribed person rather than within the School must make sure that they approach the most appropriate person or body for the issue. To assist with this decision, the list of prescribed persons linked above also provides a brief description about the matters that can be reported to each prescribed person or body.

7. Process and outcome

7.1 In cases involving the safety and welfare of children, the Head Teacher will proceed in accordance with the procedures given in the Safeguarding and Child Protection Policy and Procedures.

7.2 In cases of fraud, theft or other criminal activity not involving the safety and welfare of children, Action Fraud and/or the police will be informed by the Head Teacher or one of the Governors and, where the police judge that the incident meets the threshold for a criminal investigation, the matter will not be investigated by the School until after any police investigation has concluded.

7.3 When whistleblowing directly to the Head Teacher or one of the Governors, it should be noted that a friend, colleague or union representative may accompany a whistleblower to the meeting if desired. Whistleblowers should ensure the Head Teacher or Governor informs them of proposed action and sets a date for a second meeting.

7.4 Timescales will depend on the complexity of the initial inquiry but the case should not be allowed to stall and initial feedback should be provided within 10 working days. The timescale for subsequent feedback should then be agreed. If there is a need for mediation or dispute resolution, this should be handled carefully and fairly by the appropriate person dealing with the whistleblowing allegation.

7.5 The whistleblower should ask for clarification about confidentiality and ensure their wishes regarding the protection of their identity are recorded.

The NSPCC Whistleblowing Helpline is available to staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 or email: help@nspcc.org.uk