



## **WHISTLE BLOWING POLICY**

(for Schools and Kindergarten)

This policy will be reviewed annually or in response to changes in legislation		
Created	October 2012	Vice Principal
Last Review	September 2023	Head of HR, Head of Compliance
Approved	September 2023	Operations Board

This Policy applies to all year groups at Thomas's Schools, including the EYFS.

Thomas's London Day Schools operates as a united group of schools with a similar ethos and values and as such is referred to as a singular body.

This Policy should be read in conjunction with Thomas's Complaints Policy, Staff Disciplinary and Dismissal Procedure, Staff Grievance Procedure, Health & Safety Policy, Safeguarding Children and Child Protection Policy

### **1. INTRODUCTION**

Whistle blowing is the mechanism by which adults can voice their concerns, made in good faith, without fear of repercussion. It applies when the complainant has no vested interest but rather is an observer. It is not the same as making a complaint.

The term 'whistleblowing' is sometimes confused with the need to report safeguarding or professional concerns about another member of staff or adult in the school.

Whistleblowing is about systemic or procedural failures and is not only confined to issues about staff conduct. (Andrew Halls, Safeguarding, November 2016)

Where a member of staff has a safeguarding concern about a member of staff, they should report this to the Head. Full procedures are included in the Safeguarding and Child Protection Policy.

### **2. STATEMENT OF INTENT**

Thomas's London Day Schools are committed to open and honest communication between all members of the community. To that end we nurture a culture in which employees, parents and volunteers feel safe to raise, without fear of reprisal, a concern they may have about misconduct or malpractice. The Public Interest Disclosure Act (1998) also protects staff from being victimised if they make a report in good faith.

The well-being and safety of the children is our prime concern; it must take priority over any loyalty towards work colleagues.

Staff are encouraged to raise concerns first within the school rather than ignoring a concern or immediately raising concerns externally. All concerns raised in accordance with this Policy will be promptly investigated and appropriate action will be taken.

### **3. AIMS**

- To assist staff to acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant external agencies, particularly where the welfare of children may be at risk.
- To enable and encourage individuals to raise genuine and legitimate concerns.
- To support staff to take an active role in the elimination of poor or insufficient practices, malpractice or wrongdoing.
- To ensure any concerns raised are investigated appropriately and confidentially.
- To provide provision for mediation and dispute resolution where necessary.
- To ensure protection to those making the complaint against any form of retaliation or victimisation, as long as the disclosure, in the reasonable belief of the worker. making the disclosure, is made in good faith and in the public interest.

This policy covers concerns that fall outside the scope of our Complaints Policy, Grievance Procedure and Disciplinary and Dismissal Procedure.

### **4. PROCEDURES**

Having observed something that gives cause for serious concern, the following action should be taken:

Examples of serious concerns include but are not limited to child safeguarding or welfare, health and safety, financial malpractice, illegality or unauthorised breach of confidentiality.

- Report your concern to the Head. If your concern is about the Head, report to the Principal.
- If you are worried about how to raise a concern, you should seek independent advice though e.g. your union, early years' advisor, professional body or call 'Protect' (formerly Public Concern at Work) advice line on 020 3117 2520 (email [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)).
- Record what you witnessed in writing including where possible any background, names, other witnesses, dates, times and places as well as the nature of your concern. If for any reason you do not wish to put your concern in writing, the person to whom you report will make a written record and ask you to sign to confirm its accuracy. Keep a copy of the written record.
- Do not:
  - investigate the matter yourself;
  - tell those you suspect to be involved;
  - accuse or approach individuals;
  - tell anyone other than the Head or Principal.
- You will receive a written acknowledgement of your concern within one week of its receipt.
- The Head or Principal will investigate your concern. You will be informed of what action is being taken within two weeks of the original report. You will be kept informed of the progress of the investigation and of its outcome.

- If you are not satisfied with the outcome it may be appropriate for you to notify a relevant outside agency, for example one of the following:
  - Health and Safety Executive;
  - Environment Agency;
  - Teaching Regulation Agency;
  - Police;
  - Local Children's Services Department;
  - Local Authority Designated Person (LADO);
  - National Society for the Prevention of Cruelty to Children (NSPCC);
  - Independent Schools Inspectorate (ISI). They can be contacted by emailing [concerns@isi.net](mailto:concerns@isi.net) or calling 020 7600 0100.

### 3.1 *Safeguarding*

If your concern is about an immediate or current risk to a child, you must follow the procedure laid out in our Safeguarding and Child Protection Policy.

The NSPCC also has a Whistleblowing Advice Line. This has been developed to provide support to employees wishing to raise concerns over how child protection issues are being handled in their own or other organisations. The advice line is not intended to replace any current practices or responsibilities of organisations working with children. The helpline advisors would encourage professionals to raise any concerns about a child to their own employer in the first instance. However, the advice line offers an alternative route if whistleblowing internally is difficult or professionals have concerns around how matters are being handled. The NSPCC Whistleblowing Advice Line can be contacted by emailing [help@nspcc.org.uk](mailto:help@nspcc.org.uk) or calling 0800 028 0285.

### 3.2 *Confidentiality*

If a concern is raised anonymously it is very difficult to investigate.

The Heads and Principals will respect and protect a person's identity when a concern is raised. However in certain circumstances identities will have to be revealed to the person complained against and the complainant may be asked to provide written evidence in support of the complaint

If a person's identity is to be disclosed, he or she will be informed before the disclosure and given reasons why this was necessary.

### 3.3 *Malicious or vexatious allegations*

Whistleblowers acting in good faith are protected from reprisals or victimisation; however, a malicious or vexatious allegation may lead to disciplinary action, including dismissal.

## **4. LEGISLATION AND GUIDANCE**

This Policy bears due regard to the following statutory guidance and other advice.

DfE statutory guidance 'Keeping children safe in education' (September 2023)

DfE 'Working together to safeguard children' (December 2023)

The Enterprise and Regulatory Reform Act (April 2013)

The Public Interest Disclosure Act (1998)

UK Gov Guidance: Whistleblowing for employees