

SOLENT SPECIAL EDUCATION TRUST

WHISTLEBLOWING POLICY & PROCEDURE

At Great Oaks School and in the Solent Special Education Trust we have an expectation of high standards in areas of work. Therefore we expect there to be a culture of challenge and support for improving and developing practice.

We acknowledge that staff members are often the first to realise that there may be something wrong within an organisation. This policy is intended to encourage and enable staff to raise serious concerns within Great Oaks School and across the Trust

Any concerns about malpractice should always be raised internally in the first instance. The earlier a concern is expressed the easier it is to take action. The Governors and Senior Leadership Team are committed to ensuring that Great Oaks School is administered honestly at all times, and that it is operating in a climate of openness and accountability in which staff can raise reasonable concerns without fear of reprisal.

What Is Whistleblowing?

Whistleblowing is the disclosure by a staff member (or professional) of confidential information that relates to some danger, fraud, or other illegal or unethical conduct connected with the workplace, be it of the employer or a fellow employee. These concerns are raised internally according to the procedure.

Confidentiality

Any matter raised under this procedure will be treated in the strictest confidence and the name of any employee will not be disclosed without permission. Furthermore, any investigation will be carried out discreetly and the nature of the allegations and name(s) of those implicated will not be made public.

Protection

Within the Public Interest Disclosure Act 1998 the disclosure of confidential information in the public interest is a lawful act and employees cannot be dismissed, disciplined, or unfavourably treated provided that:

- The procedure has been followed
- The employee has acted in good faith and not for personal gain or out of personal motives.

Under no circumstances should staff talk to the media, or to any other person or body, without first exhausting the proper procedure.

Great Oaks School recognises that the decision to report a concern can be difficult to make, not least because of the fear of reprisal from those responsible for the malpractice. We will not tolerate harassment or victimisation, and will take action to protect the individual when a concern has been raised in good faith. Similarly, we will take action to support anyone who is falsely or maliciously accused of malpractice or wrongdoing.

Our appraisal and supervision system support the identification of issues before they need to be whistle blown through open discussion and whole school appraisals.

Use of the Procedure

The procedure should be used if serious malpractice is discovered within Great Oaks School or within the Trust for example:

- Fraud
- Corruption
- Dishonesty
- Criminal activity
- Financial irregularity
- Bribery
- Miscarriage of justice
- Creating or ignoring a serious risk or health and safety

Procedure

If there are reasonable grounds for believing that malpractice is happening in Great Oaks School, the Head teacher should be contacted immediately and details given, preferably in writing and not anonymously. The statement should set out the background and history of the concern, giving names, dates and places where possible, and the reason why there is a concern.

The Headteacher will arrange for an appropriate investigation to be carried out. The method of the investigation will be determined by the Headteacher in conjunction with a member of the Senior Leadership Team, and will be actioned promptly in accordance with the needs of the situation. If there is evidence of criminal activity the police will be involved.

In the case of a safeguarding or child protection concern being raised that involves a staff member or volunteer a referral must be made to the Local authority designated officer LADO.

If there is concern or dissatisfaction that the investigation is not being dealt with properly, the matter should, after notifying the Headteacher, be raised in confidence with the Chair of Governors of Great Oaks School.

If it is the Headteacher who is suspected of malpractice, the Chair should be contacted. Similarly, if both the Headteacher and the Chair are suspected then the Chair of Solent Special Education Trustees should be informed.

If the concern relates to the wider role of the Trust then the Chair of the Trust should be contacted

Independent confidential advice can be obtained from the charity Public Concern at Work (020 7404 6609) www.pcaaw.org.uk

Timescales

The Headteacher or person responsible for the investigation will acknowledge receipt of any concern in writing within five working days. The Headteacher will report on how the matter is to be dealt with and report on progress to date. If any meeting is to be arranged, the individual will have the right to be accompanied by a union representative or fellow employee (who is not involved in the area of work to which the concern relates) or a friend or advocate. The Head teacher reserves the right to refuse any person that is deemed inappropriate to fulfil this role. The eventual outcome and any action proposed taken will be reported in writing by the Headteacher.

Great Oaks School will resolve matters as quickly as possible.

Misuse of the procedure

Wilful misuse of the procedure to knowingly make false or malicious accusations could constitute gross misconduct and may lead to dismissal.

Whistleblowing is not to be used to raise grievances as Great Oaks School has a Grievance Policy and Procedure designed to resolve and redress employee grievances.

Access to external bodies

The Governors are responsible for considering the allegations in the light of the evidence from the investigation, and for determining the appropriate course of action. If there are concerns with the decision, the matter should be discussed with the Chair of Governors. If there is still no satisfaction the matter should be raised with an appropriate external body, for example:

- The Department for Education – via the online form (<https://www.education.gov.uk/schools/leadership/schoolperformance/school-complaints-form>) or by post to: Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester, M1 2WD
- The Director of Southampton Social Services, Southampton City Council, Civic Centre, Southampton
- The Director of Education, Southampton City Council, Civic Centre, Southampton
- The National Care Standards Commission, 4th Floor, Overline House, Blechynden Terrace, Southampton

Agreed by SSET Governors
To be reviewed - January 2020

Appendix 1 Don't think what if I'm wrong – think what if I'm right

Reasons for whistle blowing:

Each individual has a responsibility for raising concerns about unacceptable practice or behaviour.

- · To prevent the problem worsening or widening.
- · To protect or reduce risks to others.
- · To prevent becoming implicated yourself.

What stops people from whistle blowing:

- · Starting a chain of events which spirals.
- · Disrupting the work or project.
- · Fear of getting it wrong.
- · Fear of repercussions or damaging careers.
- · Fear of not being believed.

How to raise a concern:

- · You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken.
- · Try to pinpoint exactly what practice is concerning you and why.
- · Approach your immediate manager, Head of School, or the Designated Child Safeguarding Officer.
- · If your concern is about your immediate manager/ Head of School, or you feel you need to take it to someone outside the school contact The Local Authority
- · Make sure you get a satisfactory response – don't let matters rest.
- · You should then put your concerns in writing, outlining the background and history, giving names, dates and places where you can.
- · A member of staff is not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

What happens next?

You should be given information on the nature and progress of any enquiries. Your employer has a responsibility to protect you from harassment or victimisation. No action will be taken against you if the concern proves to be unfounded and was raised in good faith. Allegations made frivolously, maliciously or for personal gain will be seen in a different light and disciplinary action may be taken.

Self reporting

There may be occasions where a member of staff has a personal difficulty, or perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most situations, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

Further advice and support It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your line manager, HR department and/or your professional trade union.