



Whistleblowing Policy and Procedures for Staff

Please also refer to the School's '**Whole School Safeguarding and Child Protection Policy**', '**Whole School Safeguarding and Child Protection Procedures**', '**Induction of New Staff and Procedures for ECTs**', '**Staff Code of Conduct**', '**Whole School Procedures for Volunteers and Students on Work Experience Placements**', '**Whole School Safer Recruitment Policy and Procedures**' and '**Reporting Low Level Safeguarding Concerns Policy**'.

Introduction:

The definition of a whistleblower according to Gov.UK is as follows:

A whistleblower is 'a worker who reports certain types of wrongdoing. This will usually be something you've seen at work, though not always. The wrongdoing you disclose must be in the public interest. This means it must affect others, e.g. the general public.'

Statutory protection for employees who whistleblow is set out in the Employment Rights Act 1996 ('ERA') (and later superseded by the Public Interest Disclosure Act (1998) (PIDA) and protects employees against victimisation if they make a 'protected disclosure' and speak out in the public interest about concerns regarding conduct or practice within the School which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice. 'Working Together to Safeguarding Children' (August 2018) and 'Keeping Children Safe in Education' (KCSIE) (September 2022) requires schools to have clear whistleblowing procedures suitably referenced in staff training and codes of conduct.

To this end, whistleblowing procedures are explained to all staff in their Induction training and copies of this policy are given to **all** new staff who sign to acknowledge receipt and understanding of the policy alongside other key documents such as the '**Whole School Safeguarding and Child Protection Policy**' and '**Whole School Safeguarding and Child Protection Procedures**'. The policies are available in the Cranford School Policies section of the Whole School Staff Teams area on Microsoft Teams for all staff to read. A reviewed and updated copy of the '**Whistleblowing Policy and Procedures for Staff**' is emailed to all staff annually or when events or legislation require the document to be updated.

This policy applies to all School staff including full and part time employees, casual, temporary and substitute staff and contractors and to individuals undertaking work experience in the School and volunteers.

Aims and Scope of the Policy:

The Governing Body is committed to high standards in all aspects of the School and will treat whistleblowing as a serious matter. Both the Governors and the SLT at Cranford School strive to ensure a culture of safety and of raising concerns exists at all times.

In line with the Governing Body's commitment to openness, probity and accountability, members of staff are valued, and reflective practice encouraged, including the duty of all staff to report concerns which will be taken seriously, investigated and appropriate action taken in response.

Staff are instructed at INSET and in Induction training that any safeguarding concerns in particular, such as those about poor or unsafe practice and potential failures in the School's safeguarding regime, must be raised with the Senior Leadership Team or the Chair of Governors and Safeguarding Governor and will be taken seriously and investigated thoroughly.

This policy aims to:

- Ensure transparency and accountability in relation to how concerns are received and handled;
- Maintain a culture of safety and raising concerns. Cranford School has a culture of valuing staff and of reflective practice and has established careful procedures for reporting and handling concerns, provision for mediation and dispute resolution;
- Training and support for staff is provided;
- Give confidence to members of staff about raising concerns about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice or is inconsistent with School standards and policies so that he/she is encouraged to act on those concerns;
- Provide members of staff with avenues to raise concerns;
- Ensure that members of staff receive a response to the concerns they have raised and feedback on any action taken;
- Offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken where they have a reasonable belief in the truth of the concern they are raising, and that raising it is in the public interest.

This policy covers whistleblowing relating to situations where you reasonably believe that one of the following types of malpractice have or may occur:

- Failure to comply with the School's **'Whole School Safeguarding and Child Protection Policy'** and **'Whole School Safeguarding and Child Protection Procedures'**;
- Criminal offences;
- Miscarriages of justice in the conduct of statutory or other processes;
- Failure to comply with a statutory or legal obligation;
- Potential maladministration, misconduct or malpractice;
- Health and Safety issues including risks to the public as well as risks to pupils and members of staff;
- Action that has caused or is likely to cause danger to the environment;
- Abuse of authority;
- Unauthorised use of public or other funds;
- Fraud or corruption;
- Breaches of financial regulations or policies;
- Mistreatment of any person;

- Action that has caused or is likely to cause physical danger to any person or risk serious damage to School property;
- Sexual, physical or emotional abuse of members of staff or pupils;
- Unfair discrimination or favouritism;
- Discriminatory incidents or act, or harassment;
- Damage to the environment;
- Any attempt to prevent disclosure of any of the issues listed.

Please refer to the following related School Policies and Procedures for more information:

- **‘Whole School Health and Safety Policy’**
- **‘Staff Code of Conduct’**
- **‘Anti-Corruption and Bribery Policy’**
- **‘Whole School Anti-Bullying Policy and Procedures’**
- **‘Whole School Equal Opportunities Policy for Pupils’**
- **‘Whole School Preventing Radicalisation Policy (Including EYFS)’**
- **‘Whole School Safe Recruitment Policy and Procedures’**
- **‘Induction of New Staff and Procedures for NQTs’**
- **‘Whole School Policy and Procedures for Volunteers and Students on Work Experience Placements’**
- **‘Whole School Safeguarding and Child Protection Policy’**
- **‘Whole School Safeguarding and Child Protection Procedures’**
- **Reporting Low Level Safeguarding Concerns Policy’**

Allegations Concerning Child Protection Issues:

Please also refer to the School’s **‘Whole School Safeguarding and Child Protection Policy’**, **‘Whole School Safeguarding and Child Protection Procedures’** and **‘Staff Code of Conduct’**.

Making a Referral:

Whilst the Designated Safeguarding Lead will usually decide whether to make a referral, **any staff member can refer their concerns to children’s social care directly** (see below). Staff with concerns about a child should **always speak to the School’s Designated Safeguarding Lead in the first instance** rather than taking their concerns direct to children’s social care, except in exceptional circumstances. For low-level concerns (see **Reporting Low Level Safeguarding Concerns Policy’**) the Headteacher is to be informed in the first instance.

[The following is from the OSCP website:](#)

What to do if you think a Child is at Risk of Abuse or Neglect:

Immediate Danger:

If you think a child is in immediate danger, call the police on 999.

Immediate Concern:

[The Multi-Agency Safeguarding Hub \(MASH\)](#) is the front door to Children’s Social Care for all child protection and immediate safeguarding concerns. If there is an immediate safeguarding concern

where a child is deemed at risk or has potentially suffered significant harm, the MASH team should be contacted immediately. For example:

- Allegations/concerns that the child has been sexually/physically abused.
- Concerns that the child is suffering from severe neglect or other severe health risks.
- Concern that a child is living in or will be returned to a situation that may place him/her at immediate risk.
- The child is frightened to return home.
- The child has been abandoned or parent is absent.

If you have a concern about a child, please call MASH on 0345 050 7666 during office hours (8.30 am – 5.00 pm Monday to Thursday and 8.30 am – 4.00 pm on a Friday).

Outside these hours call the Emergency Duty Team on 0800 833 408.

Child Sexual Exploitation:

If you think a child or young person is being sexually exploited, contact the Kingfisher Team on 01865 309196. If you think a child is at immediate risk, call the police on 999.

For the procedure in Oxfordshire for escalation and whistleblowing, please see the [OSCP procedure](#)

Concerns or Allegations about a Professional Working with Children:

If you are a practitioner and have concerns about another practitioner or volunteer who works with children, or you need to report them, you will need to contact the **LADO on 01865 810603** or lado.safeguardingchildren@oxfordshire.gov.uk.

A LADO covers all setting where people work with children e.g. football clubs, church groups, child minders. They should be made aware of all cases in which it is alleged that a person who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

The Designated Officer (LADO) for OSCP is Jo Lloyd. Assistant Designated Officers (LADOs) are Sandra Barratt, Donna Crozier and Lorna Berry, and Education Safeguarding Advisor is Becky Langstone. The Team Contact number is **01865 810603**

Procedure for Making a Whistleblowing Allegation:

Any issues should be raised with the Deputy Heads.

The Headmaster will then decide on the appointment of the investigating officer.

If the disclosure is against the Headmaster, the Chair of Governors, Mr Stuart Wallis, should be the first point of contact.

Where the concern relates to a safeguarding or child protection matter, if you do not want to raise this through the School, you must consult the Designated Officer or Team of Officers (see

above), designated to lead on child protection or if that person is not available, the local authority's designated social services manager for child protection.

If the concern needs to have Police or other statutory authority involvement, the whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

Your concern should be in writing for the avoidance of doubt. You should set out the background and history of the concern; giving names, dates and places where possible, and explaining the reason for your concerns.

If you feel unable to put the matter in writing, you can still raise your concern verbally and should telephone or arrange to meet the appropriate person. You can also ask your trade union or professional association to raise the matter on your behalf, or to support you in raising the concern.

Where a staff member feels unable to raise an issue with their employer or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them: General guidance can be found at [Advice on whistleblowing](#).

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 (helpline is available from 8.00 am to 8.00 pm, Monday to Friday) or email: help@nspcc.org.uk

Alternatively, staff can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain, Road, London EC2A 3NH.

Taking the Matter Further:

If no action is to be taken and/or you are not satisfied with the way the matter has been dealt with, you can raise your concerns with other organisations as listed below:

- The local authority;
- A relevant professional body or regulatory organisation;
- The Children's Commissioner;
- The Public Services Ombudsman;
- The Care and Social Services Inspectorate;
- A solicitor;
- The Police (for concerns of criminal behaviour);
- A trade union or professional association;
- Public Concern at Work. (an independent charity that provides free advice for persons who wish to express concern about fraud and other serious malpractice. Telephone 0207 404 6609 or www.pcaaw.co.uk).

Allegations of Abuse made against Teachers and Other Staff:

See also the School's '**Whole School Safeguarding and Child Protection Policy**', '**Whole School Safeguarding and Child Protection Procedures**' and the School's '**Disciplinary Procedure**'.

See the 'harm test', as explained on the Disclosure and Barring Service website on GOV.UK.

the School will follow the advice given in the current version of KCSIE, from OSCP and the Police as necessary. In very rare occasions allegations are so serious that they require immediate intervention by Children's Social Care services or the Police.

The Local Children Safeguarding Board Designated Officer (LADO at OSCP) will be informed of all allegations that come to the School's attention and which appear to meet this criteria, so that they can consult Police and Children's Social Care services as appropriate. Allegations against a teacher who is no longer teaching will be referred to the Police. Historical allegations of abuse would also be referred to the Police.

If the School has concerns about an existing staff member's suitability to work with children, the School will carry out all relevant checks as if the person were a new member of staff. Similarly, if a person working at the School moves from a post that was not regulated activity into work which is considered to be the relevant checks for that regulated activity must be carried out.

Cranford School is aware of its legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- the harm test is satisfied in respect of that individual;
- the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence; and
- the individual has been removed from working (paid or unpaid) in regulated activity or would have been removed had they not left.

The legal duty to refer applies equally in circumstances where an individual is deployed to another area of work that is not regulated activity, or they are suspended.

The School recognises that it has a duty of care to employees and will ensure that effective support is in place for anyone facing an allegation and will provide the employee with a named contact in the event that they are suspended. Any allegation of abuse made against a teacher or other member of staff or volunteer will be dealt with quickly, in a fair and consistent way that provides effective protection of the child, and at the same time supports the person who is the subject of the allegation. Reviews will be conducted at fortnightly or monthly intervals, depending on the complexity of the case.

Suspension:

The School will consider carefully whether the circumstances of a case warrant a person being suspended from contact with children at the School, or whether alternative arrangements can be put in place until the allegation or concern is resolved. Whilst it is understood that suspension should not be an automatic response when an allegation is reported and all options to avoid this will be considered prior to taking this step, the School is duty bound to take action should there be a concern about the welfare of children at the School and indeed of other children in the community or the teacher's family.

Any such concerns will be reported to the Designated Officer (OSCP), Children's Social Care and/or the Police. Cranford School will always follow the advice of the Police and/or OSCP in any such matter.

Confidentiality:

The School will make every effort to maintain confidentiality and guard against unwanted publicity while an allegation is being investigated or considered. The Education Act 2002 introduced reporting restrictions preventing the publication of any material that may lead to the identification of a teacher in a school who has been accused by, or on behalf of, a pupil from the same school (where that identification would identify the teacher as the subject of the allegation).

The reporting restrictions apply until the point that the accused person is charged with an offence, or until the Secretary of State publishes information (carried out by the TRA) about an investigation or decision in a disciplinary case arising from the allegation. These restrictions are no longer applied if the individual to whom the restrictions apply effectively waives their right to anonymity by going public themselves or by giving their written consent for another to do so, or if a judge lifts restrictions in response to a request to do so.

The 'publication' of material includes any speech, writing, relevant programme or other communication in whatever form, which is addressed to the public at large or any section of the public'. This would include the publication of details of an allegation on a social networking site. Advice would always be taken from the LADO at OSCP, Police and Children's Social Care to ensure that confidentiality is maintained, and information is only given to those who need to know. See the College of Policing publication [Authorised Professional Practice](#) (May 2017) for more details.

Safeguarding Against Reprisal, Harassment and Victimisation:

The Governing Body will not tolerate harassment or victimisation of members of staff when whistleblowing concerns are raised under this policy. Any member of staff who victimises or harasses a member of staff as a result of their having raised a concern in accordance with the **'Whistleblowing Policy and Procedures for Staff'** will be dealt with under the School's Disciplinary Procedures.

Anonymity:

The Governing Body recognises that members of staff may want to raise concerns of confidence and will do its utmost to protect the identity of members of staff who raise a concern and do not want their name disclosed.

However, investigation into the concern could reveal the source of the information and statements may be required from the member of staff as part of the evidence, which would be seen by all parties involved particularly if legal proceedings result. If the investigation leads to prosecution, then the whistleblower is likely to be called in to give evidence in court.

Anonymous Allegations:

Staff should put their name to allegations whenever possible. Anonymous concerns are much less powerful and more difficult to properly investigate.

Nonetheless, anonymous allegations may be considered under this Whistleblowing procedure especially concerns relating to the welfare of children.

In relation to determining whether an anonymous allegation will be taken forward, the Governing Body will take the following factors into account:

- The seriousness of the issue raised;
- The credibility of the concern;

- The likelihood of confirming the allegation from attributable sources, and obtaining information provided.

Untrue and Malicious Vexatious Allegations:

If a member of staff makes an allegation which they reasonably believe to be true, but it is not confirmed by further inquiry, the matter will be closed, and no further action taken.

If, however, the inquiry shows that untrue allegations were malicious and/or vexatious or made for personal gain, then the Governing Body will consider taking disciplinary action against the member of staff.

Response to Whistleblowing:

The matter raised may:

- Need inquiry internally in the School;
- Need to be passed to the Police if it relates to alleged criminal activity;
- Need to be referred to the OSCP Designated Officer or Team of Officer to lead on child protection if there is concern relating to safeguarding, or if that person is not available the local authority's designated social services manager for child protection.

Once a School Governor is informed, the Governor will organise an investigation which may include interviews with the people alleged to be involved. A second Governor, unconnected with the incident, will assist. At this stage, concerns or allegations are neither accepted nor rejected.

Timescale for Response:

You will normally receive a written response within 5 working days (except in the case of anonymous allegations):

- Acknowledging that the concern has been received;
- Indicating how it is proposed to deal with this matter;
- Giving an estimate of how long it will take to provide a final response;
- Advising whether any enquiries have been made;
- Advising whether any further enquiries will take place;
- Informing you of support available whilst matters are looked into;
- Confirming confidentiality wherever possible, but also explaining that it may not be possible that you can remain anonymous.

The Inquiry Process:

The investigating officer will:

- Look into the allegation, seeking evidence and interviewing witnesses as necessary;
- Maintain confidentiality wherever possible but will be mindful that there is no guarantee that the whistleblower can remain anonymous;
- If appropriate, for concerns of criminal behaviour, refer the matter to the Police;
- If appropriate, for concerns of child protection, refer the matter to the Designated Officer or Team of Officers to lead on child protection or the local authority social services designated manager for child protection.

The whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

If the investigating officer needs to talk to you, you are permitted to be accompanied by a trade union or professional association representative.

The target is to complete the inquiry within 15 working days from the date of the initial written response, although the enquiry may extend beyond this timescale. Both the whistleblower and the person against whom the allegation has been made will be kept regularly informed.

The Inquiry Report:

Following completion of the inquiry process, the investigating officer will make a written report and if necessary, action will be taken. This may result in a trigger for the Grievance and/or Disciplinary Procedure to be implemented against the person reported. The whistleblower will also be notified of the outcome.

However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential. The report will not contain the whistleblower's name unless you have expressly stated that you wish to be named.

If the investigation was carried out by a person other than the Headmaster, or Chair of Governors, the written report must be submitted to the Headmaster and Chair of Governors to determine what further action (if any) is required.

If deemed appropriate, the Chair of Governors may make a full report to the Board of Governors. When considering further actions, the Headmaster and Chair of Governors **MUST** act on any recommendations made in the report.

If the Headmaster and Chair of Governors cannot agree on further actions, a panel of three Governors (excluding the Headmaster, Chair of Governors and any Governors employed at the School) will be convened to consider the report and agree further actions.

Following completion of the investigation, and any actions arising from the investigation, a copy of the report (anonymised) will be made available to all Governors.

The outcomes of the investigation will be logged by the HR Department in the appropriate staff file(s).

Reviewed:	September 2021:	Headmaster and Governors
Reviewed:	September 2022:	Headmaster and Governors
Reviewed:	September 2023:	Headmaster and Governors
Reviewed:	March 2024:	Headmaster and Governors

Review Due:	March 2025:	Headmaster and Governors
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