



BIRKENHEAD SCHOOL

Whistleblowing Policy

The following policy outlines procedures that are in place in the School that enable any member of staff to raise a legitimate concern regarding possible malpractice. In line with the 'Child Protection Safeguarding Policy', all members of staff must be mindful of their responsibility to safeguard and promote the welfare of pupils in our care. Issues of pupil welfare must always be of paramount importance. Staff should try not to think 'What if I am wrong?' but rather 'What if I am right?' The policy aims to make explicit the School's commitment to the development of good practice and appropriate procedures

What is 'Whistleblowing'?

The term whistleblowing can be defined as raising a concern about a wrongdoing within an organisation. The School has adopted this policy and procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion.

This procedure is designed to deal with disclosure of information by a member of staff which relates to some danger, bribery, corruption, fraud or other unlawful or unethical conduct in the workplace. Employment legislation governs the making of disclosures concerning workplace activities and is intended to protect members of staff who blow the whistle on bad practice from being subjected to any detriment or from being unfairly dismissed as a result. This procedure is available to all members of staff who discover something they feel that they should pass on in the interests of the public. All types of wrongdoing are included, whether they are acts committed by fellow members of staff, faults in school procedures or oversights which should be rectified. The procedure should be used even in the event that the act or omission causing concern has finished or has not yet started.

Elements of the policy

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; and
- Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.

Safeguarding

Nothing within this policy is intended to prevent staff from complying with their statutory obligations in accordance with *Keeping Children Safe in Education* (DfE, September 2023). In particular:

- Safeguarding/Child Protection Policy: A member of staff should raise any initial safeguarding concerns about a child with the Designated Safeguarding Lead (DSL).
- Safeguarding - member of staff: A member of staff should raise any concerns about another staff member with the Head, or if the concern is about the Head, with the Chair of Governors (without first notifying the Head).
- Low-level concerns – any low-level concerns regarding an adult on site should be raised with the DSL. Low-level concerns need not necessarily constitute a breach of the Staff Code of Conduct, but could be the concern about patterns of behaviour or an instinctive feeling.

Grievance Procedure

This procedure is separate from the School's procedures regarding grievances. Individuals should not use the whistleblowing procedure to raise grievances about their personal employment situation.

Confidentiality

Members of staff who wish to raise a concern under this procedure are entitled to have the matter treated confidentially insofar as this is possible. The School will make every effort to keep the member of staff's identity confidential. If it is necessary for anyone investigating the concern to know the member of staff's identity, this will be discussed with the member of staff in advance.

Members of staff are encouraged to express their concern in writing wherever possible. The School does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the School cannot obtain further information from the member of staff. It is also more difficult to establish whether any allegations are credible. Members of staff who are concerned about possible reprisals if their identity is revealed should make this known when raising their concerns.

If there is evidence of criminal activity then the Police will, in all cases, be informed.

“Whistleblowing Process”

Stage one

The member of staff should disclose the suspected wrongdoing first to the Designated Safeguarding Lead. In the event that the Designated Safeguarding Lead is involved in the suspected wrongdoing, the member of staff shall be entitled to proceed directly to Stage Two of this procedure.

The member of staff can expect a response detailing to whom the disclosure has been notified or any action taken within seven days of the Designated Safeguarding Lead becoming aware of the disclosure. This communication will include ways in which the Head intends to deal with the situation raised.

Stage two

If no response is forthcoming after seven days or if the Designated Safeguarding Lead is involved in the suspected wrongdoing the member of staff shall be entitled to notify the Headmaster, as appropriate.

The member of staff can expect a response detailing any action taken within seven days of the Headmaster becoming aware of the disclosure.

Stage three

If no such response is forthcoming, the member of staff should inform the Chair of Governors of the disclosure.

Stage four

If the member of staff does not receive a response within seven days, the member of staff shall be entitled to notify a relevant and appropriate body outside the School, which may include:

- the Central Advice Duty Team (CADT);
- the Wirral Integrated Front Door (IFD);
- the Health and Safety Executive;
- the Environment Agency;
- the Information Commissioner;
- the Department for Education (DfE);
- the Police;
- the Charity Commission;
- the Independent Schools Inspectorate (ISI);

External Procedures

In extreme circumstances, a member of staff naturally has the right to raise a concern directly with a relevant and appropriate outside body without first having followed the stages above. This may however cause damage to the School and its reputation as well as constitute a breach of the member of staff's own duty of confidentiality towards the School and this action should only be taken in extreme circumstances and after careful thought.

The School will consider extreme circumstances to exist where the member of staff has a reasonable belief that: the School will subject them to detriment if they inform the Designated Safeguarding Lead in accordance with Stage one above, or if they inform the Headmaster in accordance with Stage two or if they inform the Chair of Governors in accordance with Stage three; a cover-up is being mounted by the School; or a disclosure made previously to the Designated Safeguarding Lead or the Head or the Chair of Governors in accordance with the stages above has not prompted a satisfactory response.

Even where extreme circumstances are thought to exist, the member of staff should under no circumstances approach a commercial body or the media with details of the suspected wrongdoing. If the member of staff approaches any such body and/or where their concern is disclosed for personal

gain, the School may consider this to be gross misconduct and immediate disciplinary action may be taken against the member of staff.

Protection from Reprisal or Victimisation

Provided that this procedure is used appropriately and correctly, a member of staff will not suffer any detriment as a result of reporting the wrongdoing. A failure to follow this procedure may however make the disclosure unreasonable and the protection given to the member of staff by this procedure may be lost.

If any member of staff has any queries about this procedure, they should contact the Headmaster.

Kirsten Pankhurst 31st August 2023. To be reviewed 1st September 2024