

	<p style="text-align: center;">Cavendish Close Infant and Nursery School</p> <h2 style="text-align: center; color: #00AEEF;">Whistleblowing Policy</h2>	<p style="text-align: center;">Wood Road Chaddesden Derby DE21 4LY</p> <p style="text-align: center;">662239</p>
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**Date of policy publication: 8<sup>th</sup> July 2021**

**Leader of policy: Mrs C Diffin (Headteacher)**

**Date of last review:**

**Date of next review: July 2022**

**Policy review dates and changes:**

Review date	By whom	Summary of changes made	Date implemented

*Cavendish Close Infant and Nursery School is committed to safeguarding and promoting the wellbeing of all children and expects staff, governors, and volunteers to share this commitment.*

*This policy should be read in conjunction with all other safeguarding policies.*

The school is committed to maintaining a culture of openness, accountability and integrity. We seek to ensure that employees feel secure in raising concerns about any activity which may harm individuals or undermine the status of the school.

The school has adopted the Derby City Council guidelines for whistleblowing.

### **Introduction**

The school knows that it faces the risk that something may go wrong or that someone may ignore our policies, our procedures or the law resulting in some very serious consequences. Experience shows that staff, or others who work on behalf of an organisation, often have worries or suspicions and could, by reporting their concerns at an early stage, help put things right or identify and stop potential wrongdoing.

**A Whistleblower** is generally a term used for a person who works in or for an organisation and raises an honest and reasonable concern about a possible fraud, crime, danger, or other serious risk that could threaten colleagues, service users, customers, members of the public or the success and reputation of the organisation.

We welcome all genuine concerns and will treat your issues seriously - this policy explains how to raise a concern, the types of activity you should report, the protection we can provide, confidentiality, our response and how you can take matters further, if necessary.

This Policy makes it clear that you can express your concerns without fear of victimisation, subsequent discrimination, or disadvantage. This Policy is intended to give staff the opportunity to raise serious concerns within the school instead of feeling they have to overlook a problem or “blow the whistle” outside. It is also designed to protect employees from malicious allegations.

### **Purpose and aim of the policy**

This Policy aims to:

- Encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice.
- Provide an avenue for you to raise those concerns and receive feedback on any action taken.
- Make sure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in the public interest.

### **Scope**

The Policy applies to all employees. It also applies to supply/relief staff and volunteers working within the school. It does not apply to ex-employees.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- Conduct which is a criminal offence or a breach of law.
- A breach of our Code of Conduct for staff.
- Disclosures related to miscarriages of justice.
- Health and safety risks, including risks to the public as well as other employees.

- Damage to the environment. (e.g. land, buildings, highways, water, air, waste, energy, natural habitat etc.)
- The unauthorised use of public funds.
- Possible fraud and corruption.
- Sexual or physical or verbal abuse of colleagues or volunteers.
- Unethical or improper conduct.
- Failure to follow the school's policies and procedures.
- Services that fall seriously below approved standards or practice.

Therefore, you can report any serious concerns that you have about any aspect of service provision or the conduct of employees or volunteers or others acting on behalf of the school under the Whistleblowing Policy. This may be about something that:

- Makes you feel uncomfortable in terms of known standards you experience or the standards you believe the school subscribes to.
- Is against the school's policies.
- Falls below established standards of practice.
- Amounts to improper conduct.

### **Related school strategies, policies, and procedures**

This Policy makes it clear that concerns can be raised without fear of reprisals.

These procedures are in addition to the school's Complaints Procedure.

Our Whistleblowing arrangements **do not** replace the following:

- Child Protection and Safeguarding Policy
- Complaints Procedure
- Derby City Council Disciplinary Policy
- Derby City Council Grievance Policy

## **Legislation, guidance, and standards**

The Public Interest Disclosure Act 1998 protects workers who speak out in the public interest about fraudulent, criminal, or dangerous activities, wrong doings, or malpractice at work. Additionally, the Enterprise and Regulatory Reform Act 2013 has updated some elements of the Employee Rights Act 1996 in respect of protected disclosures.

## **Policy statement**

Employees are often the first to realise that there may be something seriously wrong within an organisation. However, they may not express their concerns because they fear harassment or victimisation. They may also feel that speaking up would be disloyal to their colleagues or to the organisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The school is committed to the highest possible standards of openness, probity, and accountability. In line with that commitment, we expect employees, and others that we deal with, who have serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

All concerns will be treated in confidence, and we will make every effort not to reveal your identity if you so wish. However, confidentiality cannot be guaranteed, as courts, tribunals and other bodies can order the school to disclose documents and other information provided to it. At the appropriate time you may be asked to come forward as a witness.

We will not tolerate any harassment or victimisation (including informal pressure) and we will take action to protect you when you raise a concern believed to be in the public interest. We will take any disciplinary or corrective action should anyone attempt to victimise the whistleblower or prevent concerns being raised.

We do not encourage anonymous reporting as the concerns are more difficult to investigate and are generally less powerful. We would like you to put your name to the allegations whenever possible and remind you of the protection we can provide if we know who you are.

Anonymous whistleblowing referrals will be considered at the discretion of the Headteacher/Chair of Governor handling your concern, where appropriate. This discretion will be based on the:

- seriousness of the issues raised
- credibility of the concern
- likelihood of confirming the allegation from an attributable source evidence base

It may be that our investigations do not confirm your allegation. We take all concerns seriously and can assure you that no action will be taken against you if you have raised a concern in the genuine belief that it is, or may be, true.

If we find that you have maliciously made a false allegation, we will take action and you will not be eligible for protection under PIDA (Public Interest Disclosure Act).

### **How to raise a concern**

We encourage you initially to raise your concern internally with your line manager – this allows the school the opportunity to right the wrong and give an explanation for the behaviour or activity. We also advise staff to report any allegation to the Headteacher. We recognise that your first actions will depend upon the seriousness and sensitivity of the issues and who you believe to be involved. We advise that you make it clear that you are raising your concerns under the school's whistleblowing arrangements – this will help the Headteacher respond in line with this policy.

Our response will depend on the nature of the concern raised and may be:

- advice only
- resolved by agreed action without the need for investigation
- investigated internally (by the Headteacher or Chair of Governors)
- referred to the relevant safeguarding team (child protection or vulnerable adults)
- referred to the Police
- referred to the Derby City Council external auditor
- the subject of an independent inquiry

The aim of this policy and procedure is to provide an internal mechanism for reporting, investigating and remedying any wrong doing in the workplace. In most cases, employees should not find it necessary to alert anyone externally.

### **Performance and risk management**

The number of whistleblowing reports received will be reported to the Governing Board, as they may highlight where there are potential risks to the school which require mitigation.

### **Communicating the policy**

The Governing Board has delegated responsibility for the maintenance and operation of this Policy to the Headteacher. The Headteacher maintains a record of concerns raised and the outcomes, in a form which does not endanger your confidentiality, and will report as necessary to the Governing Board, and where necessary Derby City Council.

The Headteacher and Governing Board have a statutory duty to take action where the school is involved in maladministration or illegality.

### **Information and training**

You can get more information on this policy and how it affects you from:

- Christina Diffin: Headteacher: Tel. 662239
- Derby City Council Director of Legal, Procurement and Democratic Services and Monitoring Officer: Tel 643181
- Derby City Council Head of Internal Audit Tel. 643280

### **Evaluation and review**

This Policy will be reviewed as required. It will be subject to review by July 2022.

### **Contact information**

You can get advice/guidance on how to pursue matters of concern from:

- Christina Diffin: Headteacher: Tel. 662239
- Carol Moore: Chair of Governors: Tel. 662239
- Derby City Council Head Chief Executive: Tel. 641664
- Derby City Council Head Strategic Director of Corporate Resources: Tel 643181
- Derby City Council Head Director of Legal, Procurement and Democratic Services and Monitoring Officer: Tel 643181
- Derby City Council Head Head of Internal Audit: Tel. 643280

### **Contact information for a concern re Safeguarding**

If an employee has a concern in relation to malpractice or ill treatment of an adult or child by a member of staff, it must be reported to:

- Adult Safeguarding: Head of Service, Adult Safeguarding & Professional Standards: Tel 642962

- Children's Safeguarding: Head of Children's Quality Assurance - the Council's Local Authority Designated Officer (LADO): Tel 642673

### **Contact information for a concern re Modern Slavery**

If an employee has a suspicion in relation to a case of modern slavery/human trafficking, then under Section 52 of the Modern Slavery Act 2015 it must be notified to the Home Office. For support in these situations, you must contact the Derby City Council's Cohesion and Integration Manager Tel: 643044.