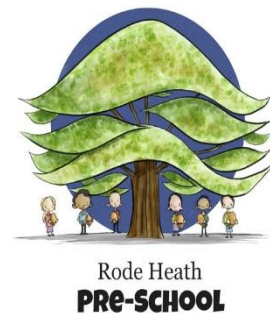




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*Inspiring learning; nurturing minds; achieving for  
life*



# Whistle Blowing Procedure

<b>Written by:</b>	John Frankland	<b>Date:</b> September 2023
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<b>Approved by:</b>	The Governing Board	<b>Date:</b> September 2023
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<b>Last reviewed on:</b>	July 2023
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**Review date:** This policy will be reviewed in light of operating experience and/or changes in legislation or every three years whichever is soonest

# **CONFIDENTIAL REPORTING PROCEDURE ("Whistle Blowing")**

## **INTRODUCTION**

This procedure has been developed for the use of all employees.

However, it can also be used by agency staff, other people acting in a similar capacity to an employee, by Contractors and their staff and other individuals providing services/support to the School (e.g. volunteers). The same principles in terms of protection from harassment and victimisation, confidentiality, support and information on the School's response will apply.

As a public service organisation, the School will use public funds prudently and apply the highest standards of conduct throughout the organisation. This procedure encourages staff to help maintain these standards, by enabling you to draw attention to any concerns which you may have about the operation of the School. Initially the School will seek to deal with your concerns through its internal procedures. Public disclosure may well be justified at some point but you are encouraged not to pursue this angle until the School has had the opportunity to investigate the concern. Premature or unnecessary publicity may impede proper investigations, hurt individuals or damage the Council's reputation.

Examples of concerns that may be raised under the procedure are:

- Law breaking.
- Miscarriages of justice.
- Health and safety risks (to anyone).
- Damage to the environment.
- Unauthorised use of money.
- Dishonesty, fraud and corruption.
- Sexual, physical or financial abuse of clients.
- Other unethical conduct.

The School wants normal operational or managerial channels to be sufficiently open and effective for most concerns to be raised that way. But this will not always be appropriate or possible and that is why we have a Confidential Reporting Procedure. It offers the means to raise concerns you may have about any aspect of service provision or the conduct of staff or Governors or other people acting on behalf of the School. A concern may arise, for example, from worries about failure to observe standards or policies being circumvented or improper conduct.

The procedure does not cover concerns that are covered by other procedures. For example, an employment problem may well be covered by the Grievance Procedure or Personal Harassment & Bullying Procedure.

## **HARASSMENT OR VICTIMISATION**

You may be put off raising a concern because you are worried about reprisals. If you raise a concern in good faith and genuinely believe it to be well founded, you should have nothing to fear. The school will not tolerate any harassment or victimisation (including covert pressure) and will do all it can to protect you. If you are involved in other procedures, such as disciplinary or redundancy, these will be kept quite separate from the investigation of your complaint.

You will not be penalised in any way where you make an allegation in good faith but it is not confirmed after it has been investigated. A concern that is raised frivolously, maliciously or for personal gain may result in action being taken against you.

## **CONFIDENTIALITY**

Your concern will be treated in strict confidence, within this Procedure, and everything done to keep your identity secret (if this is what you want). But note, that you *may* have to be a witness at some point. It might then not be possible to keep your identity fully secret.

## **ANONYMOUS ALLEGATIONS**

An anonymous concern is likely to carry much less weight than one which is signed; the investigating manager would have to decide whether or not to accept it. This decision would depend on the seriousness of the issue, the credibility of the concern and the likelihood of being able to confirm the allegation in other ways. Signed concerns are always better.

## **ALLEGATIONS AGAINST STAFF**

Support and advice are sought from Children's Services or the Local Area Designated Officer (LADO), and our Personnel/Human Resources advisor whenever necessary.

At Rode Heath Primary School, we recognise the possibility that adults working in the school; including directly employed staff, volunteers, and supply teachers, may harm children; that they may have:

- **behaved in a way that has harmed a child, or may have harmed a child and/or**
- **possibly committed a criminal offence against or related to a child, and/or**
- **behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children, and/or**
- **behaved or may have behaved in a way that indicates they may not be suitable to work with children.**

These can include incidents outside of school which do not involve children but could have an impact on their suitability to work with children

Any concerns of this nature, about the conduct of other adults, should be taken to the Headteacher without delay or, where that is a concern about the Headteacher, to the Chair of Governors and the LADO.

Staff are aware that this must be done on the same working day.

The school will not internally investigate until instructed by the LADO.

We make all staff aware of their duty to raise concerns. Where a staff member feels unable to raise an issue or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them. They have been made aware of those other channels of support via the Whistle-Blowing Policy and staff handbook.

As part of our whole school approach to safeguarding we promote an open and transparent culture in which all concerns about adults working in or on behalf of the school (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately. This includes allegations which do not meet the harms threshold, also known as low level concerns.

### **Low level concerns**

We understand that the term 'low-level' concern does not mean that it is insignificant. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work and
- does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.

Examples of such behaviour could include, but are not limited to:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone, contrary to school policy
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door, or
- humiliating pupils.

Low level concerns will be reported in the same way as a concern in relation to concerns and allegations that meet the harms test i.e. to the Headteacher or Chair of Governors, if the concern is about the headteacher.

Records of low-level concerns will be reviewed so that potential patterns of concerning, problematic or inappropriate behaviour can be identified and responded to.

Where a pattern of behaviour is identified, the Head will decide on a course of action. This might be internal disciplinary procedures, or referral to the LADO if the harms threshold is met.

The Head will consider if there are any wider cultural issues in school that enabled the behaviour to occur and if appropriate policies could be revised or extra training delivered to minimise the risk of recurrence.

## **RAISING A CONCERN**

### **Who to approach**

- There is a list of the managers and others with whom you can raise a concern (see the last page for contact addresses and phone numbers). When deciding who it would be best to approach, take into account the type of matter, its seriousness and its sensitivity – and who may be involved.

### **How to raise your concern**

You can raise your concern orally (i.e. face to face or over the phone) or in writing. If you write, mark the envelope 'personal and confidential'. Whichever way you choose, please give as much information as you can. Remember also to give your name, and for employees your job, where you work and say if you do not want to be contacted at work (if so, give your home address and phone number). If you are not employed by the Council please let us know your relationship with the Council (*for example, contractor, partner organisation, and council tax payer.*)

The following headings should help you organise your thoughts but you do not have to follow them exactly:

- Why you are concerned and the background information.
- Any other procedures which you have already used - and what happened.
- The people who are involved and where they work.
- Dates or periods of time.
- The names and jobs of any other people who will (or may) support your concern.

The earlier a concern is raised the better. Whilst you will not be expected to prove that allegations are true, you will need to show that you have a reasonable basis for your concern.

You may want to discuss the matter with one or two colleagues first. Their support could be helpful. There is nothing to stop two or more of you putting your names to a concern.

### **Involvement of your trade union or professional association, or other support such as a friend.**

You may ask your trade union or professional association or other support, to raise a matter on your behalf. In this case - if you wish - you can remain anonymous when the concern is first raised. However you may have to be involved personally if the matter goes further.

You may also have your trade union, professional association or a friend at any meeting or interview.

### **Help with the procedure**

Any of the following will help you to understand the procedure:

- The manager for your team.
- The Personnel Manager for your service (names are available from the County Personnel Corporate Personnel Unit).
- Head of Audit & Risk Management
- County Solicitor (who is also the County Council Monitoring Officer).

### **HOW YOUR CONCERN WILL BE DEALT WITH**

As a start, discreet enquiries will be made by a senior manager to decide whether an investigation is needed and if so, how it should be carried out. This will help protect everyone concerned. The overriding principle will be the public interest.

If this first, testing, stage shows that the concern should be followed up, there will either be a special examination or another procedure will be used, if appropriate.

Examples of special procedures are the Council's Disciplinary Procedure, the Personal Harassment and Bullying Procedure or child protection procedures. It may be necessary to involve other agencies, for example the police or the Council's external auditors. Any urgent action will be taken before the investigation starts. It may be possible of course, to sort out the concern without a detailed investigation.

### **WHAT YOU WILL BE TOLD**

Within 10 working days of your concern being received, the manager who carries out the initial enquiries will write to you confirming:

- What initial enquiries have been made
- How your concern has been or will be dealt with.
- How long any further action may take (as far as this can be known).
- What further work is planned and how you may be involved.

The amount of contact you have with the people considering the matter will depend on many things. These include the type of concern, the potential difficulties of investigating it and the availability of information. You may need to provide more help. Wherever possible, you will be told the final outcome of an investigation.

## **PERSONAL SUPPORT**

The School will do all it can to minimise any difficulties which you may have because you have mentioned your concern. As far as we can, you will be offered personal support, which the manager leading the investigation will arrange. For example, if you had to give evidence in disciplinary or criminal proceedings, full advice about the procedure would be given to you.

## **IF YOU ARE NOT SATISFIED WITH THE COUNCIL'S RESPONSE**

This procedure is meant to give everyone an effective way to raise a concern *within* the School (and if possible, to resolve it internally). You should not feel that you have to take an issue outside the School to get satisfaction. But if you are still unhappy after using the procedure (and getting a final response), you are entitled to consider taking your concern elsewhere. If you do this, these are some contacts which are available:

- The Council's external auditors (see the last page for contact details).
- Your trade union.
- A Citizens Advice Bureau.
- A relevant professional or regulatory body.
- A relevant voluntary organisation.
- The police.

If you raise the matter outside the School, you must take into account the rules about disclosing confidential information (for employees, please refer to your confidentiality statement, which you would have signed in September – annually).

## Contact Details

Staff wishing to report under this procedure will contact one of the following:

The Headteacher	J.Frankland <a href="mailto:head@rodeheath.cheshire.sch.uk">head@rodeheath.cheshire.sch.uk</a>
The Chairperson of the GB	Mark Harris <a href="mailto:chair@rodeheath.cheshire.sch.uk">chair@rodeheath.cheshire.sch.uk</a>
Safeguarding Governor	Tara Sanchez c/o School Office <a href="mailto:admin@rodeheath.cheshire.sch.uk">admin@rodeheath.cheshire.sch.uk</a>
Health and Safety Governor	C. Ross c/o School Office <a href="mailto:admin@rodeheath.cheshire.sch.uk">admin@rodeheath.cheshire.sch.uk</a>
SCiES/ Critical Incident: Personnel	SCiES team 01606 275039 <a href="mailto:SCiESsteameast@cheshireeast.gov.uk">SCiESsteameast@cheshireeast.gov.uk</a>
PROTECT (Public Concern at work)	020 31172520