



FROEBEL HOUSE SCHOOL WHISTLEBLOWING POLICY

At Froebel House School we do not discriminate against any child or adult on the grounds of race, disability, gender, age, gender reassignment, pregnancy, maternity, religion or belief, sex, or sexual orientation. We embrace the individuality of all our community members and comply fully with the Equality Act 2010.

Froebel House School has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, and failure to comply with legal obligations, inappropriate behaviour or unethical conduct. The policy also provides if necessary, for such concerns to be raised outside the organisation.

Elements of the Policy

This intends 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;
- Will invoke the school's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations;
- Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.

Procedure

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

This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the school.

Malpractice is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment.

Confidentiality

Individuals who wish to raise a concern under this procedure are entitled to have the matter treated confidentially and their name will not be disclosed to the alleged perpetrator of malpractice without their prior approval. It may be appropriate to preserve confidentiality that concerns are raised orally rather than in writing,

although members of staff are encouraged to express their concern in writing wherever possible. If there is evidence of criminal activity, then the Police will in all cases be informed.

The Investigation

A member of staff will be at liberty to express their concern to the Proprietor, Headteacher, or Deputy Designated Safeguarding Lead.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The member of staff making the allegation will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the resolution.

Please note, that if the concern is that a member of staff has or may have;

- **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.**
- **Behaved towards a child or children in a way that indicates that he/she would pose a risk of harm to children;**

the Headteacher (or other as above) will contact the Local Authority Designated Officer (LADO), as per the school's Child Protection & Safeguarding policy, and in accordance with DfE Statutory Guidance - Keeping Children Safe in Education to discuss how the allegation should be investigated. If after consultation it is agreed that the above criteria do apply, the appropriate statutory guidance will be followed. However, if after consultation with the LADO, the concern does not match any of the above criteria, internal procedures can continue. If the referrer does not have confidence that the matter has been dealt with appropriately and/or that the risk or possible risk to children or further allegations persist s/he should make representations to the appropriate member of staff, or if reassurance is not gained the referrer should contact the Local Authority Designated Officer (LADO) **01482 790933** in confidence or use the NSPCC Whistleblowing Helpline **0800 028 0285**.

Malicious Accusations

False, malicious, vexatious or frivolous accusations will be dealt with under the School's Disciplinary Procedure.

Protection from Reprisal or Victimisation

No member of staff will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and following the Whistleblower procedures.

Independent advice

If at any stage in the procedure employees are unsure about what to do and would like independent advice, they may like to discuss their concerns with someone at Public Concerns at Work (PCaW). PCaW is an independent charity staffed by lawyers that offer confidential free legal and practical advice on how people can raise concerns about malpractice at work. They can also give advice on whom else employees may contact and about what legal protection may be available. PCaW's legal helpline can be contacted on 020 7404 6609 or by e-mailing helpline@pcaw.co.uk. Their web site is; <http://www.pcaw.co.uk>

Professional associations, trade unions and the Citizens Advice Bureau can also offer advice concerning raising concerns.

The NSPCC operate a whistleblowing helpline for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk

Internal Policies

This policy should be read in conjunction with the following policies:-

- Child Protection & Safeguarding
- Complaints
- Physical Intervention
- Staff Code of Conduct

National Guidance

The following national guidance should also be referred to:

- DfE: Keeping Children Safe in Education. Statutory Guidance for schools and colleges – October 2019
- Guidance for safer working practice for those working with children & young people in education settings – October 2015

Produced by: Mr A Roberts, Headteacher

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