

All Hampstead Hill School Policies are always to be read and considered in conjunction with Equal Opportunities, Race Equality and Inclusion Policies. This Policy of Hampstead Hill School applies to all sections of the school including the Early Years Foundation Stage.



## Hampstead Hill School Whistle Blowing Policy

The Public Interest Disclosure Act (PIDA) 1998, commonly called the Whistle-blowing Act, provides protection for workers who disclose information on wrong doing at work which might otherwise be seen as confidential.

The Public Interest Disclosure Act 1998, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. However, where an individual discovers information which is believed to show malpractice or wrong doing within the school, then this information should be disclosed without fear of reprisal and may be made independently of line management.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. Inappropriate behaviour displayed by other members of staff, or any other person working with the children must be reported, for example, inappropriate sexual comments; excessive one –to –one attention beyond the requirements of their usual role and responsibilities; or inappropriate sharing of images.

It is not designed for the questioning of financial or business decisions taken by the school; nor may it be used to reconsider any matters which have already been addressed under harassment, complaint or disciplinary procedures. Once it is in place, it is reasonable to expect staff to use it rather than to air their complaints outside the school. As the person blowing the whistle you will not necessarily be directly affected by the danger or illegibility. This is different from a complaint or grievance. If you make a complaint or lodge a grievance, you are saying that you personally have been poorly treated.

The school will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required. This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the school.

### Reasons for whistle blowing

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour

- To prevent the problem worsening or widening
- To protect or reduce risks to others
- To prevent becoming implicated yourself

### What stops people from whistle blowing

- Stating a chain of events which spirals
- Disrupting the work or project
- Fear of getting it wrong
- Fear of repercussions or damaging careers
- Fear of not being believe

### How to raise a concern

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken.
- Try to pinpoint exactly what practice is concerning you and why.
- Approach Sian Hoskins, Anne Napier or Sharon Birch (safeguarding).
- Emails can be sent in complete confidence to [safeguarding@hampsteadhillschool.co.uk](mailto:safeguarding@hampsteadhillschool.co.uk)

### Procedures for Making a Disclosure

The individual should make the disclosure to the Principal/Senior Manangement Team.

The Principal/Senior Manangement Team will consider the information made available to them and decide on the form of investigation to be undertaken. Normally this decision will take into account the views of at least one other member of staff.

The decision may be:

- to investigate the matter internally
- to refer the matter to the police

If the decision is that investigations should be conducted by more than one of these means, the Principal/Deputy/senior management team should be satisfied that such a course of action is warranted, the possibility of double jeopardy notwithstanding.

Investigations should not be carried out by the person who will have to reach a decision on the matter. Any investigation will be conducted as sensitively and speedily as possible.

As a result of this investigation other internal procedures may be invoked, such as:

- disciplinary
- grievance or complaints
- harassment

or it might form the basis of a special investigation.

In some instances, it might be necessary to refer the matter to an external authority for further investigation. In particular, in cases alleging fraud.

The Principal/Senior Management Team will inform the individual making the disclosure what action, if any, is to be taken. If no action is to be taken then the individual concerned should be informed of the reason for this and allowed the opportunity to remake the disclosure to another appropriate person.

The person or persons against whom a disclosure is made will be told of it, the evidence supporting it and will be allowed to comment before any investigation is concluded or further action commenced.

A report of all disclosures and any subsequent actions taken will be made by the designated person who will retain such reports for a specified period of time.

- If your concern is about your immediate manager/Principal, or you feel you need to take it to someone outside the school, you can contact OFSTED. OFSTED can be called on 0300 123 3155 – (Monday to Friday from 8.00 am to 6.00 pm) or emailed at [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk). You can also write to OFSTED at WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD.

You can get free, confidential advice from Public Concern at Work. If you have witnessed wrongdoing at work and are unsure about what to do, a Public Concern at Work adviser can help you decide whether and/or how to raise your concern. You can call on 020 7404 6609 or email [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk).

- Make sure you get a satisfactory response – don't let matters rest. Ideally, you should put your concerns in writing, outlining the background and history, giving names, dates and places where you can.
- A member of staff is not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

## What happens next?

- You should be given information on the nature and progress of any enquiries.
- Your employer has a responsibility to protect you from harassment or victimisation.
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith.
- Malicious allegations may be considered as a disciplinary offence.

## Self reporting

There may be occasions where a member of staff has a personal difficulty, perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their manager so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most instances, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

## Further advice and support

It is recognized that whistle blowing can be difficult and stressful. Advice and support is available from your management team, or from our local council LADO \ (Local Authority Designated Officer) officer.

Local Authority Designated Officer (Camden) – 020 7974 6999

“Absolutely without fail – challenge poor practice or performance. If you ignore or collude with poor practice it makes it harder to sound the alarm when things go wrong” (reproduced with acknowledgement to “Sounding the Alarm” – Barnardos).

If your concern is about the Principal you must notify the proprietor immediately and must contact Ofsted’s Whistle Blowing Hotline on 0300 123 3155. The hotline can also be used if you feel you need to take your concerns to someone outside the school.

Staff can also use the Camden helpline on 0800 734 199. They can contact Camden’s Child Protection Co-ordinator on 020 7974 6999 if there are concerns about a specific child.

Date adopted: September 2016

Updated September 2019

Name: Andrea Taylor



Signed: