

WHISTLEBLOWING POLICY

Date policy reviewed:	1 September 2024
Date of next review:	1 September 2025
Person(s) responsible for review:	SLT (Head)

For allegations against staff of a safeguarding nature (including Low-Level Concerns), please refer to Section 8 of The Manor’s Safeguarding Policy instead of this document.

The Manor 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, a 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 Manor.

About this Policy

The Manor is committed to conducting its business with honesty and integrity, and expects all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.

The Manor’s policy on whistleblowing is intended to demonstrate that it: -

- 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 Manor’s disciplinary procedure in the case of false, malicious, vexatious or frivolous allegations; and
- 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 Manor’s adopted procedures regarding grievances. Individuals should not use the whistleblowing procedure to raise grievances about their personal employment situation. If you are uncertain whether something is within the scope of this procedure you should seek advice from the Head or a member of the Senior Executive Team.

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.

A whistleblower is a person who raises a genuine concern relating to suspected malpractice within The Manor. If you have any genuine concerns related to suspected malpractice affecting any of The Manor's activities (a whistleblowing concern) you should report it under this procedure.

If staff and volunteers feel unable to raise an issue with The Manor or feel that their genuine concerns are not being addressed, they may report their concerns to other whistleblowing channels, such as:

- Protect, an independent whistleblowing charity, previously known as Public Concern at Work (helpline: 020 3117 2502, email: whistle@protect-advice.org.uk, website: <https://protect-advice.org.uk/>).
- The NSPCC whistleblowing helpline (tel: 0800 028 0285 or email: help@nspcc.org.uk).

Safeguarding

Nothing within this policy is intended to prevent staff from complying with their statutory obligations in accordance with Keeping Children Safe in Education (Sept 2024), as staff have a statutory obligation to whistleblow in all cases of a child protection nature. In particular:

(i) staff should raise any initial safeguarding concerns about a child with the Designated Safeguarding Lead in accordance with the School's Safeguarding Policy. If the safeguarding concern involves suspected malpractice by an employee, contractor, volunteer or casual worker at The Manor, staff should follow the advice below (without first notifying the Designated Safeguarding Lead).

(ii) 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) in accordance with the procedures in the School's Safeguarding Policy.

Staff should follow the procedures described in the Safeguarding Policy to raise concerns about poor or unsafe safeguarding practices at the School or potential failures by the School or staff to properly safeguard the welfare of pupils if they are concerned that the School's Safeguarding Policy is not being observed or adhered to correctly.

In exceptional circumstances, or if at any point there is a risk of immediate serious harm to a child, a referral should be made to Children's Social Care or the police immediately.

This Whistleblowing Policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Procedure.

If you are uncertain whether something is within the scope of this policy you should seek advice from the Whistleblowing Officer, whose contact details are at this end of the policy

Confidentiality

We hope that staff will feel able to voice whistleblowing concerns openly under this procedure. However, if you wish to raise a concern confidentially, we will make every effort to keep your identity undisclosed. If it is necessary for anyone investigating the concern to know your identity, this will be discussed with you.

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

We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should discuss this with the Head or a member of the Senior Executive Team, and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Protect, the independent whistleblowing charity, which offers a confidential helpline. The contact details are set out above.

Raising a whistleblowing concern

You are at liberty to raise a whistleblowing concern to the Head, Deputy Heads, Head of Pre-Prep or the Director of Finance and Operations. If the person expressing the concern feels unable to approach the Head, the Deputy Heads, Head of Pre-Prep, or the Director of Finance and Operations directly, then the Whistleblowing Governor, Siân Felwick, should be the first point of contact.

A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this procedure. Your companion must respect the confidentiality of your disclosure and any subsequent investigation. You may be required to attend additional meetings in order to provide further information as the concerns raised are investigated.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. You will be kept informed of progress and, whenever possible and subject to third party rights, informed of the resolution. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If you are not satisfied that your concern is being properly dealt with, you will have a right to raise it in confidence with the Governing Body.

Investigation and outcome

Once you have raised a concern, the Whistleblowing Officer will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.

In some cases, the Whistleblowing Officer may appoint an investigator or team of investigators, which may include staff with relevant experience of investigations or specialist knowledge of the subject matter. The School will ensure that all involved have a clear understanding of the roles of those conducting the investigation and that of the Head, at the start of the process. Whistleblowers will be reminded to read this Whistleblowing Policy in full before the investigation starts.

The manner in which the process is conducted is also important and should reflect the culture and ethos of The Manor. Those raising the concerns should be assured that what they have done is right and should feel supported throughout. The investigation will focus on facts, rather than opinions. Wherever possible, questions to witnesses or to the member of staff about whom allegations have been made will focus on non-leading questions (for example, "Tell me...", "Describe to me...", "Explain to me what happened...") and on the clarification of concerns. The investigation may involve witnesses being asked if they have noticed any other matters of a similar nature – for example of a safeguarding nature if the whistleblowing concern is in that area – in connection with the member of staff; there may be questions about the perceived impact of the matter on the child, should that be relevant. Questions may involve areas in which policy may have been breached and any reason or explanations of this. In the case of safeguarding matters, the Allegations Against Staff Policy will be followed and the guidance of the LADO will be acted on, and in other cases the school may also consult external advisers. The investigator(s) will report to the Whistleblowing Officer and clarify the facts of the case: it is the responsibility of the Whistleblowing Officer to decide how the matter is taken forward. The investigation may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If we conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.

The Whistleblowing Officer may decide that the investigation should lead to further action, which may include a Disciplinary Procedure.

If you are not satisfied

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.

If you are not happy with the way in which your concern has been handled, you can raise it with the Whistleblowing Officer. If you are still not happy with the way in which your concern has been handled, you may contact the Chair of Governors via the Clerk to the Governors under the Grievance Procedure. Contact details are at the end of this policy.

External Procedures

Where all internal procedures have been exhausted, a member of staff shall have a right of access to an external person/body. This may include (depending on the subject matter of the disclosure) HMRC, the Audit Commission, the Health and Safety Executive and/or the Local Authority Designated Officer (where the disclosure relates to a child protection issue).

It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a member of staff may be entitled to raise a concern directly with an external body where the individual reasonably believes: -

- that exceptionally serious circumstances justify it;
- that The Manor would conceal or destroy the relevant evidence;
- where they believe they would be victimised by The Manor; or
- where the Secretary of State has ordered it.

Malicious Accusations

False, malicious, vexatious or frivolous accusations will be dealt with under The Manor'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 Whistleblowing procedures.

Protection and support for the alleged perpetrator

Support for the alleged perpetrator is also vital to fulfilling the school's duty of care to all employees. The alleged perpetrator should be informed of concerns or allegations as soon as possible and given an explanation of the likely course of action, unless there is an objection by the children's social care services or the police. The individual should be advised to contact their trade union representative, if they have one, or a work colleague for support. They should also be given access to support and counselling.

The Whistleblowing Officer should appoint a named representative to keep the person who is the subject of the allegation informed of the progress of the case and consider what other support is appropriate for the individual. Particular care needs to be taken when employees are suspended to ensure that they are kept informed of both the progress of their case and current work-related issues. Social contact with colleagues and friends should not be prevented unless there is evidence to suggest that such contact is likely to be prejudicial to the gathering and presentation of evidence.

The alleged perpetrator will be advised not to threaten or retaliate against whistleblowers in any way. If there is any such conduct, the alleged perpetrator involved may be subject to disciplinary action.

Contacts

Whistleblowing Officer	Rachel Hamlyn, Head - 01235 858460 07793 769863 head@manorprep.org
Governor Responsible for Whistleblowing	Siân Felwick sfelwick@manorprep.org
Chair of Governors	Sue Sowden, Chair of Governors 07926 299954 ssowden@manorprep.org
Telephone Counselling (24hr)	MetLife - 0800 012 1473

	(please quote scheme verifier HA121555)
Personal Counselling	Fiona McNally - 07935 435550 willowtreepsychotherapy@outlook.com
Protect (Independent whistleblowing charity)	Helpline: 020 3117 2520 E-mail: whistle@protect-advice.org.uk Website: https://protect-advice.org.uk/