

GORDON'S SCHOOL

WHISTLEBLOWING AND MANAGING ALLEGATIONS POLICY

'The core principle that guides everything we do is putting the interests of students first'

1. Introduction

The Gordon Foundation and Gordon's School (the School) are committed to the highest standards of quality, honesty, openness and accountability.

The School promotes an open and transparent culture in which all concerns about all adults working in or on behalf of the School are dealt with promptly and appropriately

As part of that commitment, the School encourages employees or others with genuine concerns about any aspect of work to come forward and express those concerns. We recognise that employees will need to come forward on a confidential basis.

The policy applies to all **staff** whether working in or on behalf of the School, engaged as a paid employee, worker or contractor, or unpaid member of staff or volunteer. It also includes anyone who is part of the Governance Body.

2. Whistleblowing

Employees are often the first to realise that there may be something seriously wrong. However, employees may not express their concerns because they feel that speaking up would be disloyal to their colleagues or the School. They may also fear harassment or victimisation. Each person working for the School needs to realise that they not only have the right, but also a duty to report any improper actions or omissions.

The School also recognises and appreciates that staff who raise concerns regarding malpractice or wrongdoing are an asset to the School, and not a threat. This policy makes it clear that they can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. The Whistleblowing Policy is intended to encourage and enable staff to raise genuine concerns within the School.

3. Scope of the Policy

There are existing procedures in place to enable employees to raise grievances about their own employment. The Whistleblowing Policy is intended to cover serious concerns that fall outside the scope of other procedures, in accordance with the Public Interest Disclosure Act 1998 and Keeping Children Safe in Education 2024. A protected disclosure means a disclosure which is made in the public interest by a worker. Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupils' or staff health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

'Whistleblowing' means the confidential raising of problems or concerns within the School in accordance with the provisions of this policy. This will include any illegal, immoral, irregular, dangerous or unethical activity under their employer's control. This can cover a wide range of matters, including mismanagement, bribery, fraud and health and safety failures.

4. Safeguarding against Harassment or Victimisation

No member of staff will suffer a detriment or be disciplined for raising a genuine and legitimate concern.

The School will take a zero tolerance approach to any act of harassment or victimisation (including informal pressures) and will take appropriate action to protect staff when they raise a genuine and legitimate concern.

5. Unsubstantiated Allegations

Any employee who makes an allegation that turns out to be unfounded will not be penalised for being genuinely mistaken. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken.

6. Confidentiality

All concerns will be treated in confidence but, at the appropriate time, the whistleblower may be asked to come forward as a witness, and this will be discussed with them.

7. Anonymous Allegations

This policy encourages staff to put their name to their allegation whenever possible.

The School will take all concerns raised seriously. However, concerns expressed anonymously are much less powerful but will be considered at the discretion of the School. In exercising this discretion the factors to be taken into account would include;

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

8. How to Raise Concerns

In most cases you should be able to raise your concerns with your immediate manager or another manager. If, for some reason, this is not possible you should speak to the Head Teacher or the HR Director. Concerns may be raised verbally or in writing. You can also contact the NSPCC Whistleblowing Advice Line on 0800 028 0285 or email help@nspcc.org.uk.

The earlier the concern is expressed the easier it is to take action. In order to assist with the investigation employees should provide as much detail and supporting evidence as possible regarding their concern. Although staff are not expected to prove beyond doubt the truth of the allegation, it will need to be demonstrated to the person contacted that there are sufficient grounds for concern for the person who raises them to have a reasonable belief that they exist.

The whistle blower may invite a recognised Trade Union representative or a work colleague to be present during any meetings or interviews in connection with the concerns raised.

9. Safeguarding concerns

If the concern involves a member of staff and a possible or potential child protection issue, you must inform the Head immediately. All other concerns about a child must be reported to the Designated Safeguarding Lead (DSL). Any action should follow the guidance our Child Protection and Safeguarding Policy.

10. How the School will Respond

If a concern is raised the School will look into it carefully and thoroughly. The person receiving the concern will ensure that a written account of it is made. This will help with the subsequent investigation by making sure that everyone involved is clear about what is being raised.

When a concern is raised, managers should undertake the following actions:

- Take the concern seriously
- Consider the concerns fully and objectively
- Recognise that raising a concern can be a difficult experience for employees
- Ensure confidentiality

11. Initial Enquiry

In order to protect the individuals, and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. If urgent action is required, this will be taken before any investigation is conducted.

The purpose of the initial enquiry is to ascertain if the conduct or behaviour involves a senior manager or a member of staff, so that further enquiries and investigation can be progressed accordingly.

Concerns or allegations raised which fall within the scope of established procedures will be referred for consideration under those procedures.

12. Investigation

A referral of a concern will be acknowledged within ten working days, with an indication of how the School proposes to deal with the matter and the likely timescale. If it is not possible to complete the initial enquiries within the ten working days, the letter of acknowledgement will explain. If a decision is made not to investigate, the reasons will be given.

The employee raising the concern with a manager, will, subject to legal constraints, be advised in writing of the outcome of the investigation and, where appropriate, what action is being taken. This may include changes to working practices to ensure that a similar situation does not occur again.

Written records of all interviews will be kept throughout the investigation together with written details of any action taken. The investigation will result in a written report and recommendations for corrective action, which will be passed to the manager responsible for deciding whether formal action shall be taken.

13. Monitoring Arrangements

Confidential records will be kept of all matters raised through the Whistleblowing Policy and the Governing Body will receive reports with an assessment of the effectiveness of the policy and any emerging patterns.

14. Allegation Management

[Surrey's LADO procedure](#) will be followed where it is alleged that anyone working in the setting that provides education for children under 18 years of age, including supply staff, volunteers and contractors or another adult who works with children has:

- 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.

The last bullet point above includes behaviour that may have happened outside of the setting, that might make an individual unsuitable to work with children, this is known as transferable risk.

In dealing with allegations or concerns against an adult, staff must without delay:

Report any concerns to the Head Teacher immediately. If the concern is reported verbally then it must be followed up in writing.

If an allegation is made against the Head Teacher, the concerns need to be raised with the Chair of Governors as soon as possible. If the Chair of Governors is not available, then the LADO should be contacted directly.

There may be situations when the Head Teacher / Chair of Governors will want to involve the Police immediately if the person is deemed to be an immediate risk to children or there is evidence of a possible criminal offence.

Once an allegation has been received by the Head Teacher / Chair of Governors they will contact the LADO (as part of their mandatory duty) on 0300123 1650 option 3 LADO or Email: LADO@surreycc.gov.uk immediately and before taking any action or investigation.

Following consultation with the LADO, and if threshold for a LADO referral has been met, a full written referral and risk assessment will be completed and sent to the LADO. Parents/carers will be informed of the allegation unless there is a good reason not to.

In liaison with the LADO, the setting will determine how to proceed and if necessary, the LADO will refer the matter to Social Care and/or the Police.

If the matter is investigated internally, the LADO will advise the setting to seek guidance in following procedures set out in part 4 of Keeping Children Safe in Education (KCSiE) (2023) and the SSCP procedures.

15. Low-level Concerns

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 setting 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.

The purpose of reporting low-level concerns is to create and embed a culture of openness, trust and transparency in which the setting’s values and expected behaviour set out in the staff code of conduct are lived, monitored and reinforced constantly by all staff.

The setting creates an environment where staff are encouraged and feel confident to self-refer where they have found themselves in a situation.

Reports should be made to the DSL in a timely manner. If the DSL has any doubt as to whether the information which has been shared about the individual as a low-level concern in fact meets the harm threshold, they will consult with the LADO.

If a member of staff who raises a low-level concern does not wish to be named, then the School will respect their wishes as far as possible. However, staff should be aware that in certain circumstances this anonymity may need to be waived.

All low level concerns will be shared with the Head Teacher and HR Director. A written record will be made of the concern and follow up action. This record will be kept securely and will only be accessed by the Head Teacher, Chair of Governors, Designated Safeguarding Lead or HR Director.

Occasionally a member of staff may find themselves in a situation which could be misinterpreted or might appear compromising to others. Equally, a member of staff may, for whatever reason, have behaved in a manner which, on reflection, they consider falls below the standard set out in the School’s Staff Code of Conduct. Self-reporting in these circumstances can be positive for a number of reasons, and staff are encouraged to self-report on the basis that:

- it is self-protective, in that it enables a potentially difficult issue to be addressed at the earliest opportunity
- it demonstrates awareness of the expected behavioural standards and self-awareness as to the member of staff's own actions or how they could be perceived; and
- crucially, it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour

Some low-level concerns may also raise issues of misconduct or poor performance. The Head Teacher will consider whether this is the case – by referring to the School's disciplinary and/or capability procedure and taking advice from the HR Director.

16. Associated Policies

This Policy operates in conjunction with the following:

- Staff Code of Conduct
- Child Protection and Safeguarding Policy
- Positive Handling Policy
- Searching Students Policy
- Disciplinary Procedure
- Capability Procedure
- Grievance Procedure
- Data Protection Policy

Clair Gill
Designated Safeguarding Lead

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