

THE HAWKSWOOD GROUP

2019-2020

WHISTLE BLOWING POLICY



**Approved by the Management Committee of
Hawkswood Group**

Date amended	July 2019	Management Committee
Reviewed	Annually	Management Committee

The Hawkswood Group

Executive Headteacher: Catherine Davies

The Hawkswood Centre | Antlers Hill, Chingford E4 7RT

Associate Headteachers:

Burnside PRU: Bridget Solecka

Hawkswood Therapeutic PRU: Linda McCaffrey

Hawkswood Primary PRU: Nathalie Fitzgerald

Forest Pathway College: Carolyn Crampin, Acting Head: Gabrielle Grodentz

Alternative Provisions: Gabrielle Grodentz

HAWKSWOOD GROUP WHISTLEBLOWING POLICY 2019-2020

Executive Headteacher – Catherine Davies (0208 289 4649)

Burnside PRU Associate Headteacher – Bridget Solecka (0208 289 4740)

Hawkswood Therapeutic PRU Associate Headteacher – Linda McCaffrey (0208 289 4645)

Hawkswood Primary PRU Associate Headteacher – Nathalie Fitzgerald (0208 289 4644)

AP and Forest Pathway College Associate Headteacher – Gabrielle Grodentz (0208 289 4646)

Executive Lead for Safeguarding and Inclusion – Olivia Lee (0208 289 4647)

Safeguarding Link Governor – Stephen Cobbold (Stephen.Cobbold@nelft.nhs.uk)

Chair of Governors – tbc

LADO – Caroline Aitken / Gillian Nash / Shauna McCallister / Donna Park (LADO@walthamforest.gov.uk) Tel: 0208 496 3646

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Introduction

This policy is written for staff working with children and young people within the Hawkswood Group education settings. Staff at the Hawkswood Group must acknowledge their individual responsibility to bring matters of concern to the attention of senior management and/or relevant agencies. Although this can be difficult this is particularly important where the welfare of children may be at risk.

The Hawkswood Group is committed to conducting its business with honesty and integrity, and expects all staff to maintain high standards in accordance with their contractual obligations and the School's policies and procedures.

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 or to address them when they do occur.

The whistleblowing procedure is not a substitute for normal line management processes but an addition to them. Staff should always first consider using normal line management for raising concerns. This procedure is only for the purpose of raising concerns about wrongdoing and is not a substitute or alternative for existing procedures such as the Grievance, Disciplinary Procedures for staff or the complaints procedure.

This procedure should only be used where all other existing internal procedures are felt to be inappropriate or when a member of staff, for whatever reason, feels inhibited in going through the normal line management. As an example, therefore, if a member of staff has a personal grievance then it must be raised through the grievance procedure; it would not be appropriate for it to be raised through this procedure. The existence of this procedure does not prevent staff from raising concerns through their trade union if they so wish. The procedure is therefore not a route through which employees can raise concerns about mismanagement which may arise from weak management rather than malpractice.

Aims of Policy

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- To provide staff with guidance as to how to raise those concerns;
- To reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be a mistaken.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.

This Policy reflects the School's current practices and applies to all individuals working at all levels of the organisation, including the Governors, Headteacher, members of the Senior Leadership Team, employees, consultants, contractors, trainees, part-time and fixed-term workers, casual and agency staff (collectively referred to as "Staff" in this policy) who are advised to familiarise themselves with its content.

What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work.

This may include:

- criminal activity;
- child protection and/or safeguarding concerns; * See note at the end of this policy
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal or professional obligation or regulatory requirements;
- financial fraud or mismanagement;
- negligence;
- breach of the school's internal policies and procedures including its Code of Conduct;
- conduct likely to damage the School's reputation;
- unauthorised disclosure of confidential information;
- The deliberate concealment of any of the above matters.

A 'whistleblower' is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the School's activities (a whistleblowing concern) you should report it under this policy.

This policy should not be used for complaints relating to Staff's own personal circumstances, such as the way you have been treated at work. In those cases you should follow the Grievance Policy and Procedure.

If Staff are uncertain whether something is within the scope of this policy they should seek advice from the Headteacher and if the matter is in relation to an alleged wrongdoing by the Headteacher or Headteacher then Staff should seek the advice of the Designated Governor.

Raising a whistleblowing concern

You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk.

Remember it is often the most vulnerable children or young person who is targeted. These children need someone like you to safeguard their welfare.

The School expects that in many cases Staff will be able to raise any concerns with their Line Manager, speaking to them in person or putting the matter in writing if they prefer. They may be able to agree a way of resolving a concern quickly and effectively. In some cases they may refer the matter to the Governing Body.

However, where the matter is more serious, or you feel that your Line Manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- **The Executive Headteacher**
- **The Safeguarding Link Governor or the Chair of Governors**
- **The Executive Lead for Safeguarding and Inclusion**
- **The Local Authority Designated Officer (LADO)**

The Executive Headteacher will arrange a meeting with the 'whistleblower' as soon as practicable to discuss their concern. They will record sufficient details to enable the matter to be thoroughly investigated. As a minimum the Executive Headteacher will record the name of the employee but also indicate whether the individual wishes his or her identity to remain confidential, if possible and the nature of the concern. In some cases it will not be possible to maintain confidentiality and the Executive Headteacher should explain this to the employee. In such instances the employee will have the choice of either withdrawing or agreeing to his/her identity becoming known to enable the concern to be effectively dealt with.

Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

The School will take notes and produce a written summary of the concern raised and provide the 'whistleblower' with a copy as soon as practicable after the meeting. The School will also aim to give the "whistleblower" an indication of how it proposes to deal with the matter.

- Concerns about The Associate Headteacher should be reported to the Executive Headteacher
- Concerns about the Executive Headteacher should be reported to the Chair of Governors
- Concerns about the Executive Lead for Safeguarding and Inclusion should be reported to the Executive Headteacher
- Concerns about a Governor should be reported to the Chair of Governors
- Concerns about the Chair of Governors should be reported to the LADO

Safeguarding

If the concerns relates to safeguarding or child protection, the 'whistleblower' can and should follow the chain noted above and additionally contact the LADO for advice.

Confidentiality

The School hopes that Staff will feel able to voice whistleblowing concerns openly under this policy. However, if a member of staff wants to raise his or her concern confidentially, the School will endeavour to keep his or her identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of staff's concern to know the 'whistleblower's identity, the School will discuss this with the member of staff first.

The School does not encourage Staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the School cannot obtain further information. It is also more difficult to establish

whether any allegations are credible and have been made in good faith. 'Whistleblowers' who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality.

If an individual misuses the policy and procedure e.g. by making malicious or repeated unsubstantiated complaints against colleagues this could give rise to action under the School's Disciplinary Procedure. If the Headteacher knows or has a suspicion that an employee comes into this category then s/he will take advice from the Designated Governor who will help to determine what action should be taken.

If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Public Concern at Work (Independent whistle blowing charity)

Helpline: 020 7404 6609 E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk

Concerns against Governors

If a concern against a Governor is received then this will be treated in the same way as any other concern. It will receive the same serious consideration. The concern will be raised by the Executive Headteacher with the Chair of Governors who will decide how it should be dealt with.

If the concern is against the Chair of Governors then this process cannot be followed. In such circumstances, the concern will be taken directly to the **Local Authority Designated Officer (LADO)**.

Investigation and outcome

Once a member of Staff has raised a concern, the School will carry out an initial assessment to determine the scope of any investigation. The School will inform the 'whistleblower' of the outcome of its assessment. The member of staff raising the concern may be required to attend additional meetings in order to provide further information.

In some cases the School may appoint an investigator or team of investigators including Staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the School to minimise the risk of future wrongdoing.

The School will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the School from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

If the School concludes that a 'whistleblower' has made false allegations maliciously, in bad faith or with a view to personal gain, the 'whistleblower' will be subject to disciplinary action under the School's Disciplinary Policy and Procedure.

Whilst the School cannot always guarantee the outcome a particular member of staff is seeking, the School will try to deal with the concern fairly and in an appropriate way. If a member of staff is not happy with the way in which his or her concern has been handled, he or she can raise it with one of the other key contacts outlined above.

Any member of staff raising a concern under the procedure will be kept informed of progress by the Executive Headteacher, including, where appropriate, the final outcome. However, in certain circumstances, e.g. where

disciplinary action under the School's Disciplinary Procedure has resulted from the concern, it may not be appropriate to provide specific details due to the confidentiality and sensitivity of such matters

Protection and support for 'whistleblower's

Staff must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment would include dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that he or she has suffered any such treatment, he or she should inform the Headteacher immediately. If the matter is not remedied the member of staff should raise it formally using the School's Grievance Policy and Procedure.

Staff must not threaten or retaliate against 'whistleblower's in any way. Anyone involved in such conduct will be subject to disciplinary action.

All Staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Headteacher in the first instance.

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:

- Starting 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 believed.

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 your immediate manager, Executive Head Teacher, or the Executive Lead for Safeguarding and Inclusion
- If your concern is about your immediate manager/Head teacher, speak to the Safeguarding and Inclusion Lead, Safeguarding Link Governor or Chair of Governors, or if you feel you need to take it to someone outside the school, contact the Education Safeguarding Service or LADO.
- Make sure you get a satisfactory response – don't let matters rest.
- You should then 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.
- **Do not** report your concern in hearing distance of visitors or members of outside agencies

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.

Allegations made frivolously, maliciously or for personal gain will be seen in a different light and disciplinary action may be taken.

Self-reporting

There may be occasions where a member of staff has a personal difficulty, or 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 line manager so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most situations, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

Further advice and support

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your line manager, HR department and/or your professional trade union. **If you feel unable to talk to someone within your PRU, it is strongly recommended that you contact either:**

- **Olivia Lee** - Hawkswood Group Executive Lead for Safeguarding & Inclusion
Tel: **07970994105 | 0208 2894647** (olivia.lee@hawkswoodgroup.org.uk)

- LBWF LADO in the Safeguarding in Education Service: LADO@walthamforest.gov.uk
Tel: **0208 496 3646**
 - **Caroline Aitken** (LADO and SIE Manager)
 - **Gillian Nash** (Head of Settings and Workforce Safeguarding)
 - **Donna Park** (LADO)
 - **Shauna McCallister** (SIE team)

- The Hawkswood Group Safeguarding Link Governor is **Stephen Cobbold**
(Stephen.Cobbold@nelft.nhs.uk)

- The Chair of Governors – under appointment