



## North Star School

# Whistleblowing Policy

September 2021

Review date: September 2022

### **Introduction**

North Star School is committed to the highest standards of openness, integrity and accountability. Employees with any concerns about our work must come forward and voice those concerns. This also applies to concerns about the activities of staff, senior leaders, and external organisations and/or professionals in their dealings with the school.

It does not matter that an individual, who raises a concern, is mistaken about it – staff do not have to prove anything about the allegation they are making. However, they must reasonably believe two things:

- They are acting in the public interest i.e. the concern raised, adversely affects the welfare of children, third parties or the public at large; as opposed to the welfare of a private individual or company. This does not include personal grievances and complaints about employment e.g. terms and conditions, relationships or working practices; which are addressed under other procedures.
- The disclosure highlights past, present or likely future wrongdoing falling into one or more of the following categories:
  - criminal offences (this may include, for example, financial impropriety such as bribery, corruption, fraud and tax evasion);
  - failure to comply with an obligation set out in law or a professional code of conduct;
  - amounts to a miscarriage of justice;
  - endangers the health and safety of children, staff, visitors or other members of the public;
  - endangers or damages the environment;
  - a breach of North Star School's policies, procedures and guidance;
  - any behaviour that falls below established standards of good practice; and/or
  - any attempt to cover-up wrong doing in the above categories.



All staff have protection under UK whistle blowing laws, if they raise concerns in the correct way; and we are committed to ensuring that all disclosures will be dealt with appropriately, consistently, fairly and professionally.

This policy and all associated procedures apply to all staff (including consultants, agency staff, volunteers, students on placement and any other individual working for, or on behalf of North Star School), and should be read in conjunction with other safeguarding and employment policies.

Failure to comply with these policies and procedures may result in disciplinary action, which might include summary dismissal (and referral to the Disclosure and Barring Service and the Teacher Regulation Agency (TRA), where appropriate).

## **Safeguards**

### **(a) Harassment or victimisation**

We recognise that the decision to report a concern can be a difficult one for someone to make, not least because of the fear of reprisals from those responsible for the malpractice. North Star School will not tolerate harassment or victimisation and will take all possible measures to protect employees who raise concerns in good faith. Harassing or victimising a 'whistle blower', or instructing, causing or inducing others to do so, will be regarded as gross misconduct. Employees found to be engaging in this behaviour will be subject to disciplinary action and may be dismissed.

### **(b) Confidentiality**

North Star School will, as far as possible, protect the identity of employees who raise concerns and do not want their name to be disclosed. However, it must be appreciated, that the investigation may reveal the source of the information, and statements made by the employee may be required as part of the evidence.

We encourage employees to put their name to allegations made. Concerns expressed anonymously are much less powerful, but they will be considered after the following factors have been taken into account:

- the seriousness of the issue raised;
- the credibility of the concern;
- the likelihood of confirming the allegation from other attributable sources; and
- the possibility of false, malicious or vexatious allegations



If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the employee. However, if employees make allegations that are found (through an investigation) to be false, malicious or vexatious, disciplinary action will be taken against them.

### **How to raise a concern**

All staff have a duty to report any concerns about the safeguarding and welfare of children. Line managers are obliged to ask all staff at every supervision session about whether they have observed or know about any concerning practice or whether they are worried about a child. However, if staff are concerned they must not wait for their supervision session, as this could delay action to protect a child. For any other concerns that do not relate to the safety or welfare of children, the earlier they express their concerns the easier it is to take action.

As a first step, an employee should normally raise concerns with their supervisor or line manager. However, this depends on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice.

Employees who are unwilling or unable to approach their supervisor or line manager should approach a Director.

- If you are unwilling or unable to approach either of the Directors or
- If your concern is about the Directors, or
- If you are unhappy with the response you have received from the Directors

You should contact;

- Ofsted Whistle Blowing hotline  
Telephone: 0300 123 3155 (Monday to Friday from 8.00am to 6.00pm).  
Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)  
Address: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester. M1 2WD

Concerns should normally be raised in writing, or recorded by other means, and describe the following:

- background and history of the concern;
- names, dates and places (where possible); and
- reason(s) why the employee is concerned about the situation.

An employee, who does not feel able to put their concerns in writing, can meet the appropriate member of staff face-to-face, or contact them by telephone, as set out above. Employees may



invite a representative of their trade union or professional association to raise the matter in conjunction with them.

### **How will the company respond?**

The action taken by the company will depend on the nature of the concern and the evidence available. The matter may, for example, be investigated internally or referred to the Designated Officer and/or the police. We will arrange a meeting as soon as possible, to discuss the concerns raised. You may bring a colleague or trade union representative to any such meeting. However, the companion must respect the confidentiality of the disclosure and any subsequent investigation. We may ask you for further information about the concern raised, either at this meeting or at a later stage.

Whistle blowing concerns associated with allegations of child abuse or safeguarding must be referred to children's social care and the referring authority, in accordance with our 'Child Protection Policy'. All other whistle blowing concerns must be recorded in the Whistle Blowing Log Book.

In order to protect individuals, initial enquiries will be made to decide whether an investigation is appropriate; and, if so, what form it should take. Some low level concerns may be resolved by agreed action, if the employee who raised the concern is happy and feels that this will put the matter right.

Within 10 working days of a concern being received, a Director must write to the employee who raised the issue:

- acknowledging that the concern has been raised;
- indicating how they propose to deal with the matter;
- telling the employee what further investigations will take place, and if none, why not; and
- giving an estimate of how long it will take to provide a final response (where possible).

North Star School accepts that employees need to be assured that the matter has been properly addressed. Therefore, employees will be kept informed of any progress and, subject to legal or contractual constraints, employees will be told the outcomes of any investigations and/or the reason why they cannot be told the full information.

Given the nature of anonymous disclosures, North Star School will not normally be able to provide feedback to those raising the concern. North Star School offers mentoring, advice or counselling to those who have reported a concern, where appropriate.

### **Staff training**



North Star School is committed to training all staff on key aspects of whistle blowing law and our policy and procedures. For further information and advice on whistle blowing, please refer to the following links:

- Whistleblowing for employees GOV.UK
- Whistle-blowing - Public Interest Disclosure ACAS
- Individual Advice Protect (formerly Public Concern at Work)

### **Implementation, monitoring, evaluation and review**

The designated senior members of staff with overall responsibility for the implementation, monitoring and evaluation of the 'Whistle Blowing Policy' is the Directors.

This policy document will be reviewed and publicised in writing at least annually and, if necessary, more frequently in response to any significant incidents or new developments in national, local and organisational policy, guidance and practice.