www.safeguardingchildren.stoke.gov.uk

SECTION 2D

Staffordshire Safeguarding Children Board (SSCB) and Stoke on Trent Safeguarding Children Board (SCB)

Organisational Whistle Blowing Policy to Safeguard and Promote the Welfare of Children

Introduction

Improving the way in which people and organisations safeguard and promote the welfare of children is crucial to improving outcomes for children and young people and key local organisations named under section 11 of the Children Act 2004, have a duty to demonstrate that they have effective arrangements in place within their organisation to safeguard and promote the welfare of children. Governing Bodies of Maintained schools have a similar duty under section 175 of the 2002 Education Act, and Independent Schools, Academies and the Further Education Sector under Section 157 of the same Act. These key bodies have to demonstrate that they have an effective whistle blowing process in place and that their workforce is aware of this process. This document therefore aims to offer a standard policy template for adoption by organisations that:

- Have a whistle blowing policy in place but it makes little or no specific reference to the safeguarding of children and young people;
- Do not have an existing whistle-blowing policy in place within their organisation and are required under section 11 processes to have one; and
- Organisations where there is not a section 11 requirement, but who wish to promote good practice within their organisations.

Policy Statement

Staffordshire Safeguarding Children Board (SSCB) and Stoke-on-Trent Safeguarding Children Board (SCB) expect **all staff and employees including adults working with children and young people, temporary staff, volunteers, students, contractors or external partner agencies**, to express any concerns that they may have with regards to the conduct of any individual(s). The term 'staff' will hereafter include all of the wider workforce, as stated above.

In line with the expectations of both Boards, St. Gabriel's School is committed to the highest standards of openness, integrity and accountability. All persons working for, or with this organisation, must feel safe and supported in order to express their concerns.

This policy document is intended to encourage and enable our staff to raise their concerns and to do so without fear of victimisation or discrimination. It does not replace the Complaints

Procedure or the Child Protection/Safeguarding Policy or the organisation's standard procedures for reporting allegations or concerns about staff or volunteers. It is supplementary to the organisation's Whistle Blowing Policy in regards to other forms of malpractice covered under the 'Public Interest Disclosure Act'

The Public Interest Disclosure Act (PIDA) protects the public interest by providing a remedy for individuals who suffer workplace reprisal for raising a genuine concern, whether it is a concern about child safeguarding and welfare systems, financial malpractice, danger, illegality, or other wrongdoing. The concern may relate to something that is happening or has happened in the past. The PIDA covers all workers, including temporary agency staff. It does not cover the self-employed or volunteers. The Act also provides protection should individuals have difficulty gaining a reference from an employer because they have raised a concern. It makes it clear that any clause in a contract that purports to gag an individual from raising a concern that would be protected under the Act is void.

Aims

This policy aims to:

- Encourage adults working for or within the organisation to feel confident in raising concerns;
- Provide a process by which concerns can be raised and dealt with;
- Receive feedback on the process (where appropriate); and
- Provide a means by which staff can receive support where concerns have been raised.

What does the safeguarding whistle blowing policy cover?

This policy is designed to cover concerns that staff have about the conduct of individuals in a position of trust within the organisation which could be detrimental to the safety or wellbeing of young people and where staff, for whatever reason, ***feel unable*** to raise them under the organisation's standard child protection procedures around dealing with such allegations. It would include issues about:

- Unprofessional behaviour
- Bullying by staff
- Any form of abuse (physical, sexual, emotional or neglect)
- Name calling
- Personal contact with children and young people which is contrary to the organisations policies and codes of conduct
- Any form of racial abuse
- Inappropriate sexualised behaviour
- Knowledge about an individual's personal circumstances which may indicate they could be a risk to children or unsuitable to work with children

Please be mindful that these are examples of concerns, and are not exhaustive.

Safeguarding against harassment or victimisation

St. Gabriel's School is committed to professional standards and to supporting staff. It is recognised that the decision to report a concern is a difficult one to make. Harassment or victimisation will not be tolerated and St. Gabriel's School will take appropriate action in order to protect the person raising the concern when they are acting in good faith.

Confidentiality

All concerns will be treated in confidence, however, there may be a need for the whistle blower to give evidence e.g. if they have witnessed a crime or in regard to disciplinary procedures if this is the outcome.

Anonymous allegations

This policy encourages staff to raise concerns to be identified in doing so as part of their professional role/responsibility. However, anonymous allegations will be investigated as thoroughly as possible.

False allegations

If staff raise a concern in good faith which is not confirmed by an investigation, no action will be taken. However, if a concern is raised maliciously, disciplinary action may be taken.

How to raise a concern

Staff should normally raise their concerns with a designated manager under the organisations standard procedures for dealing with allegations about a person in a position of trust Mr John Hayes, Headteacher. If the Designated Person is the subject of concern the matter should be referred to a more senior member of management or, if this is not possible, the Whistle Blowing Policy can be implemented. Under standard procedures, if there are concerns that an adult working with children may have abused a child, or be unsuitable to work with children and young people, concerns will be passed to the Local Authority Designated Officer (LADO) by the manager.

For further information about the Staffordshire LADO process (Section 4A), please use the following link: Staffordshire Managing allegations
For information about the Stoke-on-Trent LADO process, please use the appropriate link stoke.gov.uk/Managing_Allegations_LADO.pdf

In certain circumstances, staff may feel they are unable to follow the organisation's standard procedures e.g. because they feel their position in the organisation would be in jeopardy, they would be subject to intimidation, or that the person of concern is the designated manager to whom they should report such matters and there is no one senior to refer to. They should then follow the Whistle Blowing Policy by contacting a nominated person (the 'responsible person') within the organisation or an umbrella organisation to which the organisation is affiliated Mr John Hayes, Headteacher, Mr Will Bright, Deputy Headteacher, Mrs Sharon Taggart, Assistant Head and Mrs Theresa Miller & Mr Rob Vernon – Chair of Governors. The Policy may also be used in circumstances when the matter has been raised under appropriate organisation procedures for referring child protection concerns, but the referrer considers that the manager has not taken the concerns seriously or acted appropriately with relation to

them. In such circumstances, referrers are encouraged to contact the named responsible person for 'whistle blowing' for the organisation or a LADO directly for discussion and advice. The LADO contact details are listed at the end of the policy.

When following the Whistle-blowing Policy, concerns may be shared verbally, but should also be recorded in writing (Safeguarding Whistle Blowing report form – Appendix A).

Staff may wish to invite their trade union representative to be present during any subsequent interviews.

How St. Gabriel's School will respond:

Any concern regarding child protection will be referred to external agencies for investigation (children's services, police, LADO).

If the concern is not of this nature there will be:

- Investigation by management
- Disciplinary process if appropriate
- Consideration of policies, processes and procedures if such issues arise from the investigation.

Within 10 working days of a concern being raised the referrer will receive a written response from the responsible person which will:

- Acknowledge that the concern has been received;
- Supply information on relevant support mechanisms
- Advise whether further investigations will take place; or
- Advise that no further action has taken place and why.

Who to contact

Mr John Hayes, Headteacher – 01827 213910
Mrs Theresa Miller, Chair of Governors – 01827 213910
Mr Rob Vernon, Chair of Governors – 01827 213910

If it is felt that it would be unsafe for any reason to share concerns with the named person from your organisation the following are appropriate contacts with whom to discuss your concerns:

Staffordshire County Council:

-Individual designated agency leads for Child Protection
-First Response in the MASH* – 0800 1313126 (ask to speak to duty LADO if your concerns are that a member of staff could be harming children)

Stoke on Trent Authority:

-Individual designated agency leads for child protection -Advice and Referral Team (ART) – 01782 235100 -Education Safeguarding Officer – 01782 235897 -LADO officer as per rota – 01782 235885

Other support

Recognised trade unions or professional associations can provide support and assistance or independent, external advice this can be obtained from the charity Public Concern at Work 020 7404 6609, or by email at whistle@pcaw.org.uk. For further information please see their website at www.pcaw.co.uk.

Regulatory bodies such as Ofsted will also give advice. Ofsted's whistle blowing hotline is: 0300 123 3155.

Policy adopted on September 2005

Reviewed: October 2021

Next review: October 2022

Signed: **Designation:** Chair of Governors

Appendix A

Whistle Blowing Report Form

Name: _____

Date: _____

Location/department:
_____

Please give a brief outline of your concern? (Please give relevant names, dates, locations etc)

Were there any other witnesses? If so, please give their full contact details.

Did you take any action at the time? – if so, please outline what action you took

if you did not take action at the time, please give details as to why you took no action

Signed: ……

Date……

Designation……