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**Annemount**

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Nursery and Pre-preparatory School

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## **Whistleblowing Policy**

This Policy is for the whole school including the EYFS

This policy applies to all employees at Annemount School.

It is important to the school that any fraud, misconduct or wrongdoing by employees or proprietor of the school is reported and properly dealt with. The Head Teacher, who is also the proprietor will, therefore, respond to all individuals who raise any genuine concerns that they may have about the conduct of others in the school, **which are in the public interest**. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Annemount School expects the highest standards of conduct from all employees and will treat seriously any concern raised about illegal or improper conduct.

Any individual covered by this policy will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the Head Teacher any serious impropriety or breach of procedure.

Employees who do not follow the steps identified in this procedure or other agreed internal procedures, and take their concerns to other outside sources (e.g. the press), may be subject to a formal disciplinary investigation.

### **Aims and Principles**

- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the employee who raised the issue.
- No employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the employee will not be prejudiced because he/she has raised a legitimate concern.
- Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the matter will be considered under the disciplinary procedure, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is in itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority, employees should not agree to remain silent.

## **Information about Whistleblowing**

The law provides protection for employees who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'. A qualifying disclosure is one made in the public interest by the employee who has a reasonable belief that any of the following is being, has been, or is likely to be, committed:

- A criminal offence
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- Corruptly receiving any gift or advantage, thus failing to comply with the Bribery Act 2010 (see Model Anti-Bribery Policy for Schools available on the Grid)
- Allowing private interests to override the interests of the school
- A breach of any legal obligation; or
- Concealment of any of the above

It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be committed, - a reasonable belief is sufficient. The employee has no responsibility for investigating the matter; it is the school's responsibility to ensure that an investigation takes place.

It is a procedure in which the Head Teacher will be expected to act swiftly and constructively in the investigation of any concerns in accordance with the school's complaints procedure. Concerns about a colleague's professional capability should not be dealt with using this procedure although they should be reported to the Head Teacher.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken, nor should this policy apply where the employee simply disagrees with the way the school is run. Employees should report such grievances as per the Complaints Procedure in the Teacher's Handbook.

Where a disclosure is merely an expression of opinion that fails to show that a legal obligation has been or is likely to be breached, it cannot amount to a protected or qualifying disclosure for the purposes of the whistle blowing legislation.

Employees must have reasonable grounds for believing the information they have is accurate and not just idle gossip or rumour.

Financial regulations require that any suspicion of fraud, corruption or other financial irregularity is reported to the Head Teacher for possible investigation.

## **Employees Rights**

An employee who makes such a protected disclosure has the right not to be dismissed, subject to any other detriment, or victimised, because he/she has made a disclosure, provided it has not been made maliciously. Any employee who uses this procedure will not be penalised for doing so. The employer will not tolerate harassment and/or victimisation of any employee raising concerns.

Section 43J of the Employment Rights Act 1996 provides that a Settlement Agreement made between an employee and employer cannot prevent future protected disclosures.

Any confidentiality obligations in contracts of employment that would prevent an employee making a protected disclosure will be void.

### **Safeguarding Concerns**

Where the concerns are about safeguarding children or young people, the school's Designated Safeguarding Lead (DSL) for Child Protection should be notified. Please refer to the school's Safeguarding Policy for full details regarding such disclosures.

All employees have a duty to report concerns about the safety and welfare of pupils/students.

Concerns about any of the following should be reported to the DSL:

- Physical abuse of a pupil
- Sexual abuse of a pupil
- Emotional abuse of a pupil
- Neglect of a pupil
- An intimate or improper relationship between an adult and a pupil/student

The school's DSL is the Head Teacher: Geraldine Maidment. In her absence, the Deputy Safeguarding Leads are Aiden Griffin and Sarah Thompson.

### **Whistleblowing Procedure**

#### **Stage 1**

In the first instance, unless the employee reasonably believes his/her Head Teacher to be involved in the wrongdoing, any concerns should be raised with the employee's Head Teacher. If he/she believes the Head Teacher to be involved, then the employee should proceed straight to stage 4 (see below.)

If a member of staff, other than the Head Teacher, is approached by a colleague on a matter of concern as defined in this document, he/she is advised to take the matter to the Head Teacher.

#### **Stage 2**

The Head Teacher will arrange an investigation into the matter (either by investigating the matter herself or seeking necessary advice). The investigation may involve the employee and others involved giving written statements. Any investigation will be carried out in accordance with the principles set out above. The employee's statement will be taken into account and he/she will be asked to comment on any additional evidence obtained.

Employees who want to use the procedure but feel uneasy about it may wish to consult their Professional Association/Trade Union initially and bring a colleague or Professional Association/Trade Union Representative along to any discussions, so long as the third party is not involved in the issue.

Where anonymity is requested efforts will be made to meet the request where appropriate but that might not always be possible. The earlier and more open the expression of concern the easier it will be to take appropriate action.

### **Stage 3**

The Head Teacher will then report the matter to any appropriate department or regulatory agency. If disciplinary action is required this will be taken forward by the Head Teacher. On conclusion of any investigation the employee will be told the outcome of the investigation and what the next steps will be. If no action is to be taken the reason for this will be explained.

### **Stage 4**

If the employee is concerned that his/her Head Teacher is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigation, he/she should inform Keiler Snow ([snowmcgeary@yahoo.com](mailto:snowmcgeary@yahoo.com)). Ms Snow is the school's administrator and she works remotely from the school building. Employees who feel unable to follow this route, for whatever reason, have the option of contacting one of the following:

- Barnet Designated Officer (DO) *Shrimatie Bissessar* 020 8359 4528
- Independent School's Association
- HM Revenue and Customs
- The Financial Services Authority
- The Office of Fair Trading
- The Health and Safety Executive
- The Environment Agency
- The Director of Public Prosecutions
- The Serious Fraud Office
- The Education Funding Agency
- The Department for Education

### **Related Documents and Policies**

- Safeguarding Policy
- Behaviour and Anti-Bullying Policy
- Handbook and Code of Conduct for Teachers, Assistants, Administrators and Peripatetic Staff
- Advice on Whistleblowing from KCISE September 2021  
<https://www.gov.uk/whistleblowing>
- NSPCC Whistleblowing helpline  
<https://www.gov.uk/government/news/home-office-launches-child-abuse-whistleblowing-helpline>

**Key External Agencies, Services and Professionals' Contact Details**

**Barnet Children's Safeguarding Partnership [BCSP]**

Safeguarding Division, Building 4 North London Business Park  
Oakleigh Road South Barnet N11 1NP

[Barnetscb@barnet.gov.uk](mailto:Barnetscb@barnet.gov.uk)  
[www.thebarnetscp.org.uk/bscp](http://www.thebarnetscp.org.uk/bscp)

**Barnet Designated Officer (DO)**

Sarah Marshall  
[Sarah.Marshall@Barnet.gov.uk](mailto:Sarah.Marshall@Barnet.gov.uk)  
020 8359 4528  
Admin - 020 8359 5221  
[lado@barnet.gov.uk](mailto:lado@barnet.gov.uk)

**Disclosure and Barring Services (DBS)**

DBS  
PO Box 3963  
Royal Wootton Bassett  
SN4 4HH  
Tel: 03000 200 190  
[dbsdspatch@dbb.gov.uk](mailto:dbsdspatch@dbb.gov.uk)

**Barnet Social Services Multi-Agency Safeguarding Hub (MASH)**

0208 359 4066  
[MASH@barnet.gov.uk](mailto:MASH@barnet.gov.uk)

*If you are concerned that anyone aged 18 or under is at risk of being radicalised, a referral should be made to the Barnet MASH team*

**NSPCC Whistle-Blowing Helpline**

0800 028 0285  
[help@nspcc.org.uk](mailto:help@nspcc.org.uk)

**Childline**

0800 1111  
[www.childline.org.uk](http://www.childline.org.uk)

**NSPCC**

0808 800 5000

**Forced Marriage Unit**

020 7008 1500  
[fmu@fco.gov.uk](mailto:fmu@fco.gov.uk)

**Metropolitan Police non-emergency contact number**

101 (24 hours, 7 days a week)

**Operation Encompass - Domestic Abuse**

0204 513 9990  
<https://www.operationencompass.org/>

**National Domestic Abuse Helpline**

0808 2000 247

**DfE helpline (non-emergency advice for staff)**

020 7340 7264  
[counter-extremism@education.gsi.gov.uk](mailto:counter-extremism@education.gsi.gov.uk)

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