

CITY OF ROCHESTER SCHOOL WHISTLEBLOWING POLICY

This policy, which applies to the whole school, and upon request a copy (which can be made available in large print or other accessible format if required) may be obtained from the School Office. This policy is also publically available on the school website

In City of Rochester School, the term 'staff' is inclusive of all staff and it also applies to students on placement, contractors, agency staff, volunteers, the Trustees and Board of Trustees.

Monitoring and Review:

- The Trustees undertake a formal review of this policy for the purpose of monitoring and of the efficiency with which the related duties have been discharged, by no later than one year from the date shown below, or earlier if significant changes to the systems and arrangements take place, or if legislation, regulatory requirements or best practice guidelines so requires. This discussion will be formally documented in writing. Any deficiencies or weaknesses recognised in arrangements or procedures will be remedied immediately and without delay.

Signed:

Date Reviewed: September 2021

Date of Next Review: September 2022

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Policy No 22:001



Alicja Emmett
Headteacher



Claire Cooper
Chair of Trustees and Safeguarding Trustee

This policy will be reviewed no later than September 2022, or earlier if changes in legislation, regulatory requirements or best practice guidelines so require.

Table of Contents

1	Speak Up, We Will Listen	2
2	What Concerns Can I Raise	2
3	Feel Safe To Raise Your Concern.....	2
4	Confidentiality.....	2
5	Who Can Raise Concerns	2
6	Who Should I Raise My Concern With	2
7	How Should I Raise My Concern	3
8	What We Will Do	3
8.1	Investigation	3
8.2	Communicating with you.....	3
8.3	How we will learn from your concern	3
8.4	Trustee oversight.....	3
9	Making A Protected Disclosure.....	4
10	Malicious Allegations.....	4
11	Monitoring.....	4
12	Equality Impact Assessment	4

1. Speak Up, We Will Listen: Speaking up about any concern you have at work is really important. In fact, it's vital because it will help us to keep improving our services for all those we support and the working environment for our staff. You may feel worried about raising a concern, and we understand this. But please don't be put off. In accordance with our duty of candour, our senior leaders and entire board are committed to an open and honest culture. We will look into what you say and you will always have access to the support you need.

2. What Concerns Can I Raise: You can raise a concern about risk, bad practice or wrongdoing you think is harming the service we deliver. Just a few examples of this might include (but are by no means restricted to):

- Sexual, emotional or physical abuse or ill treatment or exploitation of the people we support or staff.
- Any issue relating to the protection of children or vulnerable adults
- unsafe working conditions
- inadequate induction or training for staff
- lack of, or poor, response to a reported safety incident
- A bullying culture (across a team or organisation rather than individual instances of bullying).

Remember that if you are working with children or vulnerable adults you may have a professional and statutory duty to report a concern. **If in doubt, please raise it.** Don't wait for proof. We would like you to raise the matter while it is still a concern. It doesn't matter if you turn out to be mistaken as long as you are genuinely troubled. This policy is not for people with concerns about their employment that affect only them – that type of concern is better suited to the City of Rochester School grievance policy within the employee handbook.

3. Feel Safe To Raise Your Concern: If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of reprisal as a result. We will not tolerate the harassment or victimisation of anyone raising a concern. Nor will we tolerate any attempt to bully you into not raising any such concern. Any such behaviour is a breach of our values as an organisation and, if upheld following investigation, could result in disciplinary action. Provided you are acting honestly, it does not matter if you are mistaken or if there is an innocent explanation for your concerns.

4. Confidentiality: We hope you will feel comfortable raising your concern openly, but we also appreciate that you may want to raise it confidentially. This means that while you are willing for your identity to be known to the person you report your concern to, you do not want anyone else to know your identity. Therefore, we will keep your identity confidential, if that is what you want, unless required to disclose it by law (for example, by the police). You can choose to raise your concern anonymously, without giving anyone your name, but that may make it more difficult for us to investigate thoroughly and give you feedback on the outcome.

5. Who Can Raise Concerns: Anyone who works (or has worked) in City of Rochester School, or for an independent organisation that provides services to City of Rochester School can raise concerns. This includes agency workers, temporary workers, students, volunteers and trustees.

6. Who Should I Raise My Concern With: In many circumstances the easiest way to get your concern resolved will be to raise it formally or informally with your line manager. But where you don't think it is appropriate to do this, you can use any of the options set out below in the first instance. If raising it with your line manager does not resolve matters, or you do not feel able to raise it with them, you can contact the Headteacher. If you still remain concerned after this, you can contact:

- Nominated Individual and Safeguarding Lead
- The trustees of City of Rochester School

If for any reason you do not feel comfortable raising your concern internally, you can raise concerns with external bodies.

- The independent charity, Public Concern at Work, Tel 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

- Social Services Departments in the case of child protection or vulnerable adults. Local address can be obtained from the Citizens Advice Bureau or the internet.
- The Department for Education
- The Charities Commission
- The Police
- The Local Authority Designated Officer (LADO) for Medway on 01634 331307 or 01634 331126 and for Kent on 03000410888 for Child Protection/Safeguarding Referrals
- The NSPCC call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: help@nspcc.org.uk. [NSPCC's what you can do to report abuse](https://www.nspcc.org.uk/what-you-can-do-to-report-abuse)

You may wish to consider discussing your concern with a colleague first and may find it easier to raise the matter if there are two (or more) people who have had the same experience or concerns. You may invite a representative (e.g. a friend or advisor) to be present during any meetings or interviews in connection with the concerns you have raised.

7. How Should I Raise My Concern: You can raise your concerns with any of the people listed above in person, by phone or in writing (including email). Trustees for City of Rochester School (UK) Ltd can be reached individually at claire.cooper@cityofrochesterschool.org. Please be ready to explain as fully as you can the information and circumstances that gave rise to your concern.

8. What We Will Do: We are committed to listening to our staff, learning lessons and improving the care that we give to the people we support. On receipt the concern will be recorded and you will receive an acknowledgement within two working days. The central record will record the date the concern was received, whether you have requested confidentiality, a summary of the concerns and dates when we have given you updates or feedback.

8.1: Investigation: Where you have been unable to resolve the matter quickly (usually within a few days) with your line manager, we will carry out a proportionate investigation and we will reach a conclusion within a reasonable timescale (which we will notify you of). Wherever possible we will carry out a single investigation (so, for example, where a concern is raised about a safety incident, we will usually undertake a single investigation that looks at your concern and the wider circumstances of the incident). The investigation will be objective and evidence-based and will produce a report that focuses on identifying and rectifying any issues and learning lessons to prevent problems recurring. We may decide that your concern would be better looked at under another process; for example, our process for dealing with bullying and harassment. If so, we will discuss that with you. Any employment issues (that affect only you and not others) identified during the investigation will be considered separately.

8.2: Communicating with you: We will treat you with respect at all times and will thank you for raising your concerns. We will discuss your concerns with you to ensure we understand exactly what you are worried about. We will tell you how long we expect the investigation to take and keep you up to date with its progress. Wherever possible, we will share the full investigation report with you (while respecting the confidentiality of others).

8.3: How we will learn from your concern: The focus of the investigation will be on improving the service we provide. Where it identifies improvements that can be made, we will track them to ensure necessary changes are made and are working effectively. Lessons will be shared with teams across the organisation, or more widely, as appropriate.

8.4: Trustee oversight: The City of Rochester School (UK) Ltd Board of Trustees will be given high level information about all concerns raised by our staff through this policy and what we are doing to address any problems. The Board of Trustees support staff raising concerns and want you to feel free to speak up.

9: Making A Protected Disclosure: There are very specific criteria that need to be met for an individual to be covered by whistleblowing law when they raise a concern (to be able to claim the protection that accompanies it). A disclosure will qualify for protection under the legislation if it relates to one of the following (which are not exhaustive):

- The unauthorised use of City of Rochester School funds.
- Possible fraud or corruption.
- Sexual, emotional or physical abuse or ill treatment or exploitation of the people we support or staff.
- Any issue relating to the protection of children or vulnerable adults.
- Health and Safety risks (including risks to clients, the public as well as other employees) or the potential for harm
- Conduct which is an offence or breach of law.
- Disclosures related to miscarriages of justice (i.e. where City of Rochester School has acted improperly or unfairly).
- Damage to the environment.
- Other unethical conduct, including any deliberate concealment of any of the above.

10: Malicious Allegations: If an employee makes an allegation, but it is not confirmed by the investigation, no action will be taken against that employee. If it is suspected however, that an employee has made malicious or vexatious allegations, consideration will be given to use of the disciplinary policy. An investigation may be held with a possible outcome of disciplinary action being taken against him or her. In determining whether an employee has acted maliciously and/or vexatiously the investigator will consider whether the employee was motivated to make the allegations simply out of desire to pursue a personal vendetta or grudge.

11: Monitoring: City of Rochester School will at all times adhere fully to the statutory guidance in place from the Charity Commission and the Department of Education issued under section 175 of the Education Act 2002 and the Education Regulations 2014, Currently: Keeping Children Safe in Education (September 2020) and “what to do if you are worried a child is being abused – Advice for practitioners (September 2016). Nothing written in this policy overrides City of Rochester School’s duties under such legislation. Compliance with the policies and procedures laid down in this document will be monitored by the trustees. The trustees are responsible for the monitoring, revision and updating of this document on a yearly basis or sooner if the need arises.

12: Equality Impact Assessment: This document forms part of City of Rochester School commitment to create a positive culture of respect for all staff and service users. The intention is to identify, remove or minimise discriminatory practice in relation to the protected characteristics, as well as to promote positive practice and value the diversity of all individuals and communities. As part of its development this document and its impact on equality has been analysed and no detriment identified.