Whistleblowing Policy

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1.0 INTRODUCTION

1.1 This policy aims to highlight the importance of each individual's responsibility within the school community at Lingfield College (incorporating Lingfield College, Lingfield College Prep, Lingfield College Nursery, Lingfield College Sixth Form) including all Governors, teaching and support staff, including temporary staff and volunteers to bring matters of concern to the attention of Senior Management. It is acknowledged that this can be difficult; it is nevertheless particularly important where the welfare of children may be at risk.

1.2 It is hoped and expected that concerns about poor, inappropriate or unsafe workplace practice, including unacceptable conduct and attitudes towards children, will be raised promptly and handled effectively through the School's existing procedures; however, the Whistleblowing Policy provides another way in which such concerns can be raised and heard.

1.3 One fundamental aim of this policy is to promote the culture of openness, safety and reflective practice, particularly in the way in which concerns are managed.

1.4 The primary area of concern relates to children's welfare and safeguarding, and therefore this document should be read in conjunction with Lingfield College's Safeguarding and Child Protection Policy, where Whistleblowing is discussed. The key principles are established in statutory guidance from the Department for Education, Keeping Children Safe in Education 2026.

1.5 The School recognises the difficulty that individuals can encounter when faced with the decision to raise a concern about the welfare of a child or young person. These reservations can naturally stem from a feeling that this could be disloyal to colleagues or that raising the alarm may spark harassment or victimisation. However,

a child should never have to continue to face unnecessary risk, and it is often the most vulnerable children and young people who are targeted.

1.6 All staff must acknowledge this and share a commitment to raise any concerns despite any difficulties this decision may pose.

2.0 REASONS FOR WHISTLEBLOWING

2.1 Generally, whistleblowing concerns are raised when wrongdoing, fraud or misconduct takes place at work. If the issue is related to a colleague's breach of Safeguarding rules, it is important that Staff discuss their concerns with the Headmaster in the first instance, and act in accordance with the guidance laid out in the Safeguarding and Child Protection Policy and the Low-Level Concerns (Reporting of) Policy.

2.2 Examples of other reasons for calling a colleague's behaviour into question could be any of the following:

- A crime or other unlawful act or miscarriage of justice
- A discriminatory act or breach of the School's Equality, Diversity and Inclusion Policy
- A significant breach of the School's Health and Safety Policy
- Damage to the environment or property
- Unauthorised use of School funds or other fraud;
- Any other act constituting possible gross misconduct
- Inappropriate or harmful conduct towards a child (or children), including:
  - Bullying, humiliation, or any other kind of abuse
  - Contravening health and safety guidelines in place to protect children
  - Serious breaches of the School's relevant Staff Code of Conduct
  - Professional practice that falls short of normally accepted standards
  - Compromising pupils' welfare in a way that does not meet the threshold for child protection intervention
- Concealing or attempting to conceal any of the above.

2.3 In terms of children's welfare and safeguarding, all staff have a responsibility to provide a safe environment in which children can work and learn. All teachers share responsibility for safeguarding children's wellbeing and maintaining public trust in the teaching profession as part of their professional duties. Staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the School's safeguarding processes. It is important that wrongdoing of whatever kind is addressed and stopped – reporting concerns enables the School to address problems swiftly and openly.

2.4 The school has a duty of care to manage allegations of cases that might indicate a person would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity. There is a 'harm test' which is explained on the Disclosure and Barring service website on GOV.UK.

2.5 Whistleblowing can also support the member of staff who is the subject of the concern. Their conduct may result from inexperience or lack of training that can be addressed by the School, or they may be under stress and be relieved when their conduct is questioned.

2.6 "*Absolutely without fail - challenge poor practice or performance. If you ignore or collude with poor practice it makes it harder to sound the alarm when things go wrong*" 'Sounding the Alarm' – Barnardo's

3.0 RAISING A CONCERN

3.1 If at any point there is a risk of immediate or serious harm to a child, a referral should be made to Children's Social Care immediately. Anybody can make a referral. If the child's situation does not appear to be improving, the staff member with concerns should press for reconsideration. The best interests of the child must always be the primary focus.

3.2 The concerns, suspicion or uneasiness must be voiced as soon as it is felt possible. The earlier the concern is expressed, the faster the action to be taken. Staff may wish to write down what is worrying them for their own benefit as an *aide memoire*, outlining things they may have heard or seen that have given cause for concern.

3.3 The person expressing the concern must pinpoint exactly what practice is concerning them and why

3.4 The concern should be raised with their line manager, Headmaster or the DSL either verbally or in writing.

3.5 If the concern relates to a Safeguarding issue in which a member of staff is involved, the Whistleblower must raise it with the Headmaster or DSL immediately, who will then discuss the situation with the Surrey Designated Officer (LADO) within a maximum of 24 hours

3.6 If a Safeguarding concern relates to the Headmaster himself, staff should contact the Chair of Governors, Peter Samuels through the HR Manager Cathryn Marsden by emailing marsdenc@lingfieldcollege.co.uk

3.7 If the Whistleblower is concerned about their line manager, the Headmaster or the DSL, the concern should be taken to the Governing Body in the first instance and then the Local Education Officer for the area, if it is necessary to take the matter outside the School

3.8 The person raising the concern should ensure that the response is satisfactory and should pursue the matter if it is not

3.9 Concerns should be made in writing, outlining the background and history, giving names, dates and places wherever possible

3.10 When raising a concern to their line manager, the Headmaster, DSL or Chairman of Governors, the Whistleblower may bring a friend, colleague or union representative if they wish.

3.11 Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

3.12 General guidance can be found at: Advice on whistleblowing https://www.gov.uk/whistleblowing and the NSPCC whistleblowing helpline (details in Appendix 1).

4.0 SELF REPORTING

4.1 If a member of staff feels that they have put themselves in a vulnerable position with a pupil, parent, or member of staff, then this should be discussed at the earliest opportunity with the DSL as per the Low-Level Concerns (Reporting of) policy.

4.2 There may be occasions where a member of staff has a personal difficulty which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager or HR, so that professional and personal support can be offered to them. The School provides an Employee Assistance Programme to provide support to staff on a range of areas.

4.3 Whilst such reporting will remain confidential in most instances, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

5.0 CONFIDENTIALITY

5.1 In terms of children's welfare and safeguarding, the principles of confidentiality are laid out in the Safeguarding and Child Protection Policy. Child protection issues warrant a high level of confidentiality, not only out of respect for the child and staff involved, but also to ensure that any information released into the public domain does not compromise evidence.

5.2 In other whistleblowing cases, all concerns will be treated in confidence possible, but absolute confidentiality cannot be guaranteed.

6.0 WHISTLEBLOWING PROCESS

6.1 The person raising the concern should be given information on the nature and progress of any enquiries.

6.2 The School has a responsibility to protect individuals from harassment or victimisation.

6.3 The School will not take action against individuals raising a concern that proves to be unfounded and was raised in good faith.

6.4 Malicious allegations will be considered as a disciplinary offence.

6.5 All serious incidents will be reported to the Charity Commission by the Chairman of Governors, including:

- Suspicions, allegations and incidents of abuse or mistreatment of pupils
- Fraud, theft, or other criminal activity and/or a criminal investigation
- Investigation or sanctions imposed by another regulator or agency (e.g. HMRC, Health & Safety Executive, DfE)
- Where the School (including any individual member of staff, Governor or volunteers) has any known or suspected monetary/finance-based links to a banned organisation or to terrorist or other unlawful activity
- Significant sums of money or other property donated to the School from an unknown or unverified source

6.6 In cases of fraud, theft or other criminal activity that do not involve the safety and welfare of children, the police will be informed by the Headmaster or Chair of Governors and, if the police judge that the incident meets the threshold for a criminal investigation, the matter will not be investigated by the School until after any police investigation has been concluded.

6.7 The timescale of the investigation will depend on the nature of the concern, but initial feedback should be given to the Whistleblower within 10 working days. If there is a need for mediation or dispute resolution, the senior member of staff managing the allegation should treat the case with the utmost care and consideration.

6.8 The Whistleblower should ask for clarification about confidentiality and ensure their wishes regarding the protection of their identity are recorded.

6.9 The following definitions should be used when determining the outcome of allegation investigations:

- **Substantiated:** there is sufficient evidence to prove the allegation;
- **Malicious:** there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive;
- **False:** there is sufficient evidence to disprove the allegation;
- **Unsubstantiated**: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence;
- **Unfounded:** to reflect cases where there is no evidence or proper basis which supports the allegation being made.

7.0 FURTHER ADVICE & SUPPORT

7.1 It is recognised that whistleblowing can be difficult and stressful. Advice and support is available from your line manager, Lingfield College Deputy Head (Pastoral), the Head of Prep School, the HR Manager and the Headmaster. Outside School, advice and help can be provided by a professional Union, Solicitor, the Police, Children's Social Care or https://protect-advice.org.uk/, a registered charity that offers free and confidential legal advice on workplace malpractice.

7.2 Further information can also be found at

- Whistleblowing (Government document)
- LADO-Guidance-for-safer-workplace-practice.doc
- What to do if you're Worried a Child is being Abused (2015)
- NSPCC Helpline – 0800 800 5000

If there are concerns that the DSL is not acting on Child Protection concerns, then staff can also call 0800 028 0285 (Whistleblowing advice line NSPCC) from 8am-8pm Mon-Fri. Email: help@nspcc.org.uk

APPENDIX 1

EMERGENCY CONTACT DETAILS

If a member of staff feels that a child may be at immediate risk of harm, they should call 999 immediately.

If they are concerned that a child may be at risk of significant harm, they should discuss the issues with the DSL who may make a referral to children's social care. Anyone can make such a referral, so if the DSL does not act as the Whistleblower feels they should, they are able to make the referral to the relevant agency themselves.

The Children's Services helplines below should be contacted, depending on the area in which the child lives.

Support	Contact Details
East Sussex SPoA (Single Point of Advice)	01323 464222 (Mon-Fri 08:30 – 16:30) 01273 335905/6 (Out of hours service)
Kent County Council Report Abuse	03000 411111 03000 419191 (Out of hours service)
Surrey Children's Single Point of Access (SPA)	0300 470 9100 (Mon-Fri 09:00 – 17:00) 01483 517898 (Emergency duty team)
West Sussex MASH (Multi-agency Safeguarding Hub)	01403 229900 (Mon-Fri 09:00 – 17:00) 0330 222 6664 (Out of hours emergency)
Surrey Designated Officer (LADO)	LADO@surreycc.gov.uk 0300 1231650
NSPCC Whistleblowing helpline	help@nspcc.org.uk 0808 800 5000