



DANES HILL SCHOOL

Whistleblowing Policy

This policy applies to the Prep School and Pre-Prep School, including EYFS

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1. Purpose of the Policy

1.1 Danes Hill School (the School) has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, a failure to comply with legal obligations, inappropriate behaviour or unethical conduct, including sexual harassment that has occurred, is occurring or is likely to occur. The policy also provides, if necessary, for such concerns to be raised outside the organisation.

1.2 The School is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.

2. Legal Framework and Other Policies

2.1 This policy has due regard to all the relevant legislation and guidance including, but not limited to, the following:

- DfE (2026) Keeping Children Safe in Education
- Public Interest Disclosure Act 1998
- Employment Rights Act 1998
- Health and Safety at Work Act 1974

2.2 The School is committed to regularly monitoring changes in relevant legislation and statutory guidance and will update this policy accordingly to ensure ongoing compliance and best practice.

2.3 This policy operates in conjunction with the following school policies:

- Staff Disciplinary Procedure
- Staff Grievance Procedure
- Complaints Policy and Procedure
- Overarching Data Protection Policy
- Safeguarding and Child Protection Policy
- Staff Code of Conduct

3. Aims

3.1 The School's policy aims to:

- Encourage all staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated, as appropriate;
- Respect the confidentiality of staff raising concerns and will provide procedures to maintain

confidentiality so far as is consistent with progressing the issues effectively;

- provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
- Only invoke the School's disciplinary procedure in the case of false, malicious, vexatious or frivolous allegations. The policy seeks to reassure staff that they can raise genuine concerns without fear of reprisal, even if they turn out to be mistaken; and
- Provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.
- Confirm that the School will not tolerate malpractice.

4. Scope of This Policy

4.1 This policy applies to all teachers, support staff, volunteers, governors, casual/agency/peripatetic staff (including those who are self-employed), student placements and anyone working with pupils on and off-site. The term 'Staff' in this policy encompasses all of those mentioned, unless otherwise stated.

4.2 This procedure is separate from the School's procedure regarding grievances. Individuals should not use the whistleblowing procedure to raise concerns relating to their own personal circumstances, such as the way they have been treated at work. In those cases, the School's Grievance Procedure should be used, as appropriate. If you are uncertain whether something is within the scope of this procedure, you should first seek advice from the Head.

4.3 This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the School.

4.4 Definitions

4.4.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing, malpractice or dangers at work. 'Malpractice' is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment (negligence).

4.4.2 All staff must feel able to raise concerns about poor or unsafe practice and potential failures in the School's safeguarding regime. More widely, it is important that wrongdoing, fraud or misconduct are confronted. Apparently minor incidents may escalate with serious consequences.

4.4.3 A **whistleblower** is a person who raises a genuine concern relating to suspected malpractice within the School. A member of staff with any genuine concerns related to suspected malpractice affecting any of the School's activities (a whistleblowing concern) should report it under this procedure.

4.4.4 If staff feel unable to raise an issue with the School or feel that their genuine concerns are not being addressed, they may report their concerns to other whistleblowing channels, such as:

- Protect, an independent whistleblowing charity (helpline: 020 3117 2502, email:

whistle@protect-advice.org.uk, website: <https://protect-advice.org.uk/>).

- The NSPCC whistleblowing helpline (Tel: 0800 028 0285 or email: help@nspcc.org.uk).

4.4.5 Qualifying disclosure: to be covered by whistleblowing law, the disclosure must be a 'qualifying disclosure'. A qualifying disclosure is any disclosure of information which, in the reasonable belief of the worker making the disclosure, is made in the public interest and tends to show one or more of the following:

- That a criminal offence has been committed, is being committed or is likely to be committed. ² That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
- That a miscarriage of justice has occurred, is occurring or is likely to occur.
- That the health or safety of any individual has been, is being or is likely to be endangered. ² That the environment has been, is being or is likely to be damaged.
- That sexual harassment has occurred, is occurring or is likely to occur.
- That information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

4.4.6 The qualifying disclosure must also be a **protected disclosure**. This means for a qualifying disclosure to be protected, it must be made by a worker using one of the following permitted methods of disclosure:

- Disclosure to the worker's employer or other person responsible for the failure.
- Legal advisers
- Government Ministers
- A person prescribed by an order made by the Secretary of State
- Other disclosures may be protected where in the particular circumstances they are either reasonable, or special provision is made for disclosures relating to exceptionally serious problems. A worker who blows the whistle, by making a disclosure in accordance with the relevant criteria set out is making a protected disclosure and has the right not to be unfairly dismissed or suffer a detriment, e.g. being dismissed or being denied a promotion, as a result of having made that disclosure. Worker: defined by section 230(3) of the Employment Rights Act 1996 as: 'an individual who has entered into or works under (or, where the employment has ceased, worked under):
 - A contract of employment.
 - Any other contract, whether express or implied and (if it is express) whether oral or in writing, whereby the individual undertakes to do or perform personally any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual.'

4.4.7 Prescribed person - If an individual decides to blow the whistle to a prescribed person rather than the School, they must make sure that they choose the correct person or body for their issue. The Public Interest Disclosure (Prescribed Persons) Order 2014 sets out a list of over 60 organisations and individuals that a worker may approach outside their workplace to report suspected or known wrongdoing. Please see section 7, below for further details on external procedures.

4.4.8 Blacklisting refers to an individual who is being refused work because they are viewed as a whistleblower. Grievances involve an individual filing a complaint relating to their own personal circumstances, such as the way they have been treated at work. Workers who make a disclosure under this Whistleblowing Policy should believe that they are acting in the public interest - personal grievances and complaints do not usually count as whistleblowing.

5. Confidentiality

5.1 It is hoped that staff will feel able to voice whistleblowing concerns openly under this procedure. However, where anyone wishes to raise a concern confidentially, the School will make every effort to keep their identity secret. If it is necessary for anyone investigating the concern to know their identity, this will be discussed with them.

5.2 If there is evidence of criminal activity, the Police will in all cases be informed.

5.3 The School does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the School cannot obtain further information from them. It is also more difficult to establish whether any of the allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed, should discuss this with the Head and appropriate measures can then be taken to preserve confidentiality. If a member of staff is in any doubt, they can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are set out above.

6. Raising Whistleblowing Concern

6.1 A member of staff may be the first to recognise that something is wrong but may not feel able to express concerns out of a feeling that this may be disloyal to a colleague or for fear of harassment or victimisation. These feelings, however natural, must never result in a child, staff, volunteers or visitors continuing to be unnecessarily at risk. Remember, it is often the most vulnerable person who is targeted, and it is important to safeguard their welfare.

6.2 Staff should raise any whistleblowing concern to the Head or DSL directly. A member of staff who felt unable to approach the Head or DSL directly, should contact the Chair of Governors (chair@daneshillschool.co.uk) or alternatively follow the Safeguarding and Child Protection Policy for any safeguarding related allegations. For any whistleblowing concerns regarding the Head, please report to the Chair of Governors.

6.3 When individuals raise a concern, they will be asked to include the following information as far as possible:

- The background and history of the concern
- Any relevant names, dates and places
- The reasons for the concern

6.4 A meeting will be arranged with the member of staff as soon as possible to discuss their concern. They may choose to bring a colleague or union representative to any meetings under this procedure. The companion must respect the confidentiality of the disclosure and any subsequent investigation. The member of staff may be required to attend additional meetings in order to provide further information as the concerns raised are investigated.

6.5 Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The member of staff will be kept informed of the progress of the investigation and its likely timescale. Whenever possible and subject to third party rights, they will be informed of

the resolution. However, sometimes the need for confidentiality may prevent the School giving specific details of the investigation or any disciplinary action taken as a result. The member of staff and companion should treat any information about the investigation as confidential.

6.6 A member of staff who is not satisfied that their concern is being properly dealt with, has a right to raise it in confidence with the Governing Body. Alternatively, they can follow the external procedure below.

7. External Procedures

7.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in school. In most cases members of staff should not find it necessary to alert anyone externally.

7.2 However, where all internal procedures have been exhausted, a member of staff shall have a right of access to an external prescribed person/body. This may include (depending on the subject matter of the disclosure) HMRC, the Audit Commission, the Health and Safety Executive and/or the Local Authority Designated Officer (where the disclosure relates to a child protection issue).

7.3 It will very rarely, if ever, be appropriate for anyone to alert the media.

7.4 It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a member of staff may be entitled to raise a concern directly with an external body where the individual reasonably believes:

- that exceptionally serious circumstances justify it;
- that the School would conceal or destroy the relevant evidence;
- where they believe they would be victimised by the School; or
- where the Secretary of State has ordered it.

7.5 A list of prescribed people and bodies can be accessed at:

[Whistleblowing: list of prescribed people and bodies - GOV.UK \(www.gov.uk\)](https://www.gov.uk/whistleblowing/list-of-prescribed-people-and-bodies)

7.6 A staff member should only tell a prescribed person or body if they think the employer:

- will cover it up;
- would treat them unfairly if they complained;
- has already been told and has failed or refused to address the matter appropriately.

7.7 Staff members who decide to report to a prescribed person rather than within the School must make sure that they approach the most appropriate person or body for the issue. To assist with this decision, the list of prescribed persons linked above also provides a brief description of the matters that can be reported to each prescribed person or body.

7.8 Members of staff are strongly encouraged to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

8. Malicious Accusations

8.1 False, malicious, vexatious or frivolous accusations will be dealt with under the School's Disciplinary Procedure.

9. Protection from Reprisal or Victimisation

9.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. The School aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

9.2 No member of staff will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and following the Whistleblowing procedure. If any member of staff believes that they have suffered any such treatment, they should inform the Head immediately. If the matter is not remedied, they may raise it formally using the School's Grievance Procedure.

9.3 No one should conduct themselves in a way that may threaten or appear to retaliate against whistleblowers in any way. Any member of staff involved in such conduct would be subject to disciplinary action.

10. Feedback

The school ensures that the whistleblower receives a response to the concerns they raised and any appropriate feedback.

11. Contact Details

The Head

Mr Colin Baty 01372849286
Head@daneshillschool.co.uk

The Designated Safeguarding Lead (Interim)

Mr Colin Baty 01372849289
DSL@daneshillschool.co.uk

Governors

Chair of Governors
Mr Cedric Ntumba 01372 849287
Chair@daneshillschool.co.uk

12. Further Advice

In cases of children's welfare and safeguarding consult cspa@surreycc.gov.uk.

For other whistleblowing issues, advice may be available from the governing body or local authority. The government provides advice on whistleblowing at <https://www.gov.uk/whistleblowing>.

Local Authority Designated Officer (LADO) and Children's Social Care (CSC) Services

The **LADO** is responsible for co-ordinating the response on behalf of Surrey Local Authority to allegations

of a safeguarding nature made against a member of School staff. Contact details for the Surrey Borough LADO are:

Phone: **0300 470 9100** (for children welfare concerns)

Emergency out of hours phone: 01483 517898

For concerns for a child or young person: cspa@surreycc.gov.uk

Phone: **01300 123 1650** (for staff/adults concerns)

Email: LADO@surreycc.gov.uk (emails are dealt with during normal office hours)

For concerns for an adult: ascmarsh@surreycc.gov.uk

SMS: 07527 182 861 (for the deaf or hard of hearing)

The LADO can also be contacted through this single point of access. Also, NSPCC Whistleblowing helpline 0800 028 0285 (8am to 8pm)