

OUTSTANDING IN ALL AREAS

CHERRY TREE SCHOOL WHISTLEBLOWING POLICY

DATE AGREED / REVIEWED: SEPTEMBER 2017, SEPTEMBER 2018,
SEPTEMBER 2019, SEPTEMBER 2020, SEPTEMBER 2021, SEPTEMBER
2022, SEPTEMBER 2023, SEPTEMBER 2024

DATE OF NEXT REVIEW: SEPTEMBER 2025

HEADTEACHER SIGNATURE:

MANAGEMENT COMMITTEE CHAIR SIGNATURE:

ALL STAFF MUST HAVE ACCESS TO THIS POLICY, AND SIGN TO
CONFIRM THAT THEY HAVE READ, UNDERSTOOD AND WILL
ADHERE TO ITS CONTENTS.

Cherry Tree Whistleblowing Policy

Introduction

- Cherry Tree recognises the vulnerability of the children and young people in its care and is committed to operating to the highest standards of transparency, integrity and accountability. We want to ensure there are no barriers in the way of staff raising legitimate concerns about the welfare of any child or group of children for whom we have a responsibility. Whilst this policy does cover other areas the protection of children is at its heart.
- The contract of employment commits employees to confidentiality with respect to the affairs of the School. However, where an individual genuinely believes that he or she has discovered abuse, serious malpractice or corruption, e.g. fraud, within the school this Policy provides a mechanism for this information to be disclosed internally and gives guidance as to whom this should be disclosed without fear of reprisal, victimisation or dismissal.
- Under the Public Interest Disclosure Act 1998, employees who speak out against corruption and malpractice at work have statutory protection against victimisation and dismissal.
- The earlier a concern is raised the quicker and easier it is to take appropriate action.
- **Concerns will be taken seriously and treated with the utmost confidentiality and sensitivity. Employees are, however, encouraged to put their name clearly to any allegation. Concerns expressed anonymously are not so credible, and any action taken will be at the discretion of the company after considering the seriousness and credibility of the concern.**
- **Where an employee wishes to remain anonymous, the School will view this sympathetically. However, there may be circumstances where it is necessary for the employee to be named in order that a necessary investigation may proceed, or, unavoidably, the identity of the employees may be uncovered during the course of the investigation.**

Scope

- This policy applies to all employees of the School carrying out work for the School.
- This policy can be applied to contractors working for the School.
- This policy provides a mechanism for reporting incidents of malpractice or corruption that cannot be reasonably or effectively dealt with, initially, by other procedures.
- This policy includes the protection afforded to a person, or persons, raising concerns of health & safety at work.
- Concerns covered by this Policy include, but are not limited to the following:
 - Physical, sexual, verbal or any other abuse towards children and young people.
 - Criminal activity.
 - Improper conduct or unethical behaviour; Financial malpractice, corruption, fraud.
 - Failure to comply with a legal obligation or Statutes; A danger to the health & safety of the individual; Damage to the environment.
 - A miscarriage of justice.
 - A concealment of any of the above.

General

- Any disclosures made to merely create mischief or disruption fall outside of the Act, and, in such circumstances, an employee may be subject to disciplinary action under the School's Staff Policy and Procedures.
- A disclosure may be reported to the School Operations Manager in the first instance. Where the concern is of a particularly serious nature, then the disclosure may, more appropriately, be made to the Headteacher or Management Committee Chair.
- Any investigation will be carried out either by the Headteacher or Management Committee Chair.
- Where the employee who has made the disclosure believes that the complaint has not been dealt with by the School that person should ensure that the management Committee Chair is aware of these concerns. The Chair will then look into the disclosure, take any necessary action and feedback to the person. Only after the person has taken this course of action may she / he make wider disclosures in the following circumstances:
 - The employee making the disclosure genuinely believes that the complaint is exceptionally serious.
 - The concern is not raised through any other method mentioned above because the worker / employee is reasonably concerned that she / he would be victimised.
 - The employee reasonably believes that there would be a cover-up.
 - After being raised internally the employee does not believe that the concern was dealt with properly.
- Subject to previous point above, and all internal routes have been followed the wider disclosure may be made to:
 - the Police
 - Department for Education and Skills (DfES) Office for Standards in Education (OfSTED) H&S Executive
 - Inland Revenue
 - The Audit Commission
 - Local Member of Parliament or Government Minister
 - The Local Area Designated Officer (LADO)

All contact numbers are at the end of the document on Appendix 1.

Raising Concerns

- An employee raising a concern should go via the normal reporting channels, unless he / she believes that the School Operations Manager or Headteacher are involved. In these circumstances the employee should go to the Management Committee Chair.

The Appointment

- The manager to whom the concern has been reported, will arrange an initial interview with the employee when he / she will be:
 - Reassured of protection from possible victimisation.
 - Asked if he / she wishes his / her identity to be disclosed. Where an employee does not wish his / her identity to be disclosed the manager will discuss the emboldened points, in the Introduction of this Policy, with the employee.
 - Asked if he / she wishes to make a written or verbal statement; if a verbal statement is being made, this should be recorded in writing by the line manager and the employee should sign and date this. Where a written statement is made by the employee, he / she should sign and date the written statement.
 - Be made aware of the possible consequences of falsifying information.
 - The employee may be accompanied by a colleague, or their trade union representative.
 - The manager would then write a brief summary of the interview which should be agreed and signed by both parties.
 - The manager will arrange a time to meet with the employees within 14 days of being notified of the concern in order to provide feedback as appropriate. The feedback may be constrained by a duty of confidentiality if for example it involved confidential information on a child or another member of staff. If necessary, a follow-up meeting will be arranged, e.g. in the event that the outcome of the investigation is not known at this time.

Induction

- An investigation will normally commence within 5 working days of notification of the disclosure.
- In exceptional circumstances it may be necessary to carry out certain investigations without the employee under investigation being informed until necessary. In certain cases, suspension from work may have to be considered immediately.

Following The Investigation

- The appropriate manager will meet with the person making the disclosure and provide feedback on any action taken, without breaking confidentiality of, e.g. disciplinary action.
- In exceptionally serious matters, the matter will be referred to the Management Committee Chair and a decision made whether or not to involve external authorities will be made and actioned accordingly.

False Allegation / Public Disclosure

- Where a false allegation has been made with malicious intent, disciplinary action may be taken against the employee making the allegation.
- Cherry Tree reserves the right to take action against an employee who goes public when it is unreasonable for them to do so.

Dissatisfaction with the Outcome

- Should an employee remain dissatisfied with the outcome of the investigation, this should be raised with the Headteacher. In circumstances where the employee is dissatisfied, then the employee may raise the matter with The Management Committee Chair.
- If the disclosure involves the School Operations Manager or Headteacher, an employee who is dissatisfied with the outcome of the investigation should raise the matter with the Management Committee Chair.

**This policy will be reviewed annually by the Headteacher
and or the Management Committee**

Appendix 1

DSL Emma Brown (School Operations Manager) 07745354498

DDSL Susan Finn (Headteacher) 07710548733

Management Committee (chair) joanne.berry@cherrytreeeducation.co.uk

The school's points of contact for children who are the focus of concern are as follows:

www.kscmp.org.uk

Kent safeguarding children's multi-agency partnership 03000 421126

National domestic abuse helpline: 08082000247 (24 hour helpline)

Education Safeguarding Team 03000 418503

Integrated Front Door – 03000 411111

Out of Hours – 03000 419191

Online protection – 03000 415797

Child Sexual Exploitation (Kent) – 101 and quote operation willow

Local Area Designated Officer LADO for Kent: IN office hours 03000 410888

Out of hours 03000419191

Local Area Designated Officer LADO for Hillingdon: IN office hours 01895 556633

Out of hours 01895 556633

Local Area Designated Officer LADO for Redbridge: IN office hours 02087 083885

Out of hours 02087 085897

Local Area Designated Officer LADO for Brent: IN office hours 02089 374300

Out of hours 02088 635250

Local Area Designated Officer LADO for Hampshire: IN office hours 01962 876364

Out of hours 01962 876364

Local Area Designated Officer LADO for East Sussex: IN office hours 01323 464222

Out of hours 01273 335905/6

Local Area Designated Officer LADO for Surrey In office hours 03001231650

Out of hours 01483517898 (Duty team)

Out of Hours Emergency Duty Team Kent – 03000 419191

Police Emergency - 999 - Kent Police Non-Emergency – 101

OFSTED Safeguarding Children 08456 404046 (Monday to Friday from 8am to 6pm)

Whistleblowing@ofsted.gov.uk

Department for Education dedicated helpline for staff and Management Committee members:

020 7340 7264 and counter-extremism@education.gsi.gov.uk

Disclosure and Barring Service:

PO Box 181, Darlington, DL1 9FA Tel: 01325 953795