Havering
LONDON BOROUGH

	Name of School	ENGAYNE PRIMARY
	Policy review Date	SEPT25
	Date of next Review	SEPT26
	Who reviewed this policy?	LA/HT
	Date approved by Governing body	SEPT26

Whistleblowing Policy for Schools, including Managing Allegations and Low Level Concerns

1. In line with the London Safeguarding Children Partnership and the London Child Protection Procedures, Engayne Primary School operates a whistle blowing and low level concerns policy.
2. The purpose of this document is to assist all staff to whistleblow if they have concerns about any adult in the school setting, whether paid or voluntary.
3. This policy reflects the requirements of:
   - 3.1. Working Together to Safeguard Children 2023
   - 3.2. Keeping Children Safe in Education 2025
   - 3.3. London SCB (Safeguarding Children Board) Child Protection Procedures 7th Edition
4. This policy and the following procedures apply to all paid staff, volunteers and governors working with or in Engayne Primary School.
5. This document applies to processes that must be followed in the following circumstances:
   - 5.1. Concerns about the suitability of a member of staff (paid or voluntary) working safely with children
     See SECTION A
   - 5.2. Concerns about the conduct of a member of staff, their honesty or integrity
     See SECTION B
6. If you are the whistle-blower or the subject of an allegation use SECTION C.
7. To assist in determining which section, the following can be used as a guide. Whistleblowing and low level concern reporting is separate from LADO because not all allegations go to the LADO. A whistleblow or low level concern report could be made because of:
   - 7.1. Allegations of harm or possible harm to a child from a staff member or volunteer in the school
     ➔ SECTION A

7.2. Financial irregularity
➔ SECTION B

7.3. Adult bullying (not involving children)
➔ SECTION B

7.4. Cheating/changing assessment and exam results
➔ SECTION B

7.5. Health & safety concerns
➔ SECTION B, but consider SECTION A because of the impact of this on the possible safety of the child

7.6. Policies and procedures not being followed
➔ SECTION B

Section A: Child Protection Whistle Blowing and Low Level Concern Reporting

8. All staff should be aware of this policy and feel confident to voice concerns about the attitudes or actions of colleagues; this includes contact and actions using mobile phones, internet, email and chat.

9. If a member of staff believes a colleague has:

   9.1. Behaved in a way that has harmed a child, or may have harmed a child;

   9.2. Possibly committed a criminal offence against or related to a child;

   9.3. Behaved towards a child or children in a way that indicates they may pose a risk of harm to children;

   9.4. Behaved towards a child or children in a way that indicates they are unsuitable to work with children;

10. For all of the above please speak to your Headteacher immediately – Mrs S Sankey 01708223492

The Headteacher will report to the LADO on the same working day.

11. Allegations can be made in relation to physical behaviours including physical chastisement and restraint but can also relate to inappropriate relationships between members of staff and children or young people, for example:

   11.1. Having a sexual relationship with a child under 18 if in a position of trust in respect of that child, even if consensual (see s16-19 Sexual Offences Act 2003);

   11.2. 'Grooming', i.e. meeting a child under 16 with intent to commit a relevant offence (see s15 Sexual Offences Act 2003);

   11.3. Other 'grooming' behaviour giving rise to concerns of a broader child protection nature e.g. inappropriate text / e-mail messages or images, gifts, socialising etc;

   11.4. Possession of indecent photographs / pseudo-photographs of children.

12. In addition, these procedures should be applied when there is an allegation that any person who works with children:

12.1. Has behaved in a way in their personal life that raises safeguarding concerns. These concerns do not have to directly relate to a child but could, for example, include arrest for possession of a weapon;

12.2. As a parent or carer, has become subject to child protection procedures;

12.3. Is closely associated with someone in their personal lives (e.g. partner, member of the family or other household member) who may present a risk of harm to child/ren for whom the member of staff is responsible in their employment/volunteering).

For all of the above please speak to your Headteacher immediately – Mrs S Sankey

The Headteacher will report to the LADO on the same working day.

13. **If a member of staff is worried about the conduct of the Headteacher**, or they believe that a reported allegation or concern is not being dealt with properly, they should report the matter on the same working day:
- to the Havering Local Authority Designated Officer (LADO), 01708 431653
- to the Chair of Governors – Prof A Moss 01708223492
- to the whistleblowing helpline 0800 028 0285 and help@nspcc.org.uk

14. For confidential advice on how to raise a concern about malpractice at work, visit 'Public Concern at Work' https://protect-advice.org.uk

Section B: Fraud or financial wrong doing

15. Examples of Illegal and/or Improper Conduct:

15.1. Fraudulent or improper use of the school's money or assets

15.2. Mismanagement of statutory tests and assessments

15.3. Dangerous practices at work

15.4. Corruptly receiving any gift or advantage

15.5. Allowing private interests to override the interests of the school

16. All staff should be aware of this policy and feel confident to voice concerns about the attitudes or actions of colleagues; this includes concerns about mismanagement of school budget, school funds or school resources, handling and managing statutory tests and assessments.

17. Report financial or asset concerns to
- the Headteacher
- if the concern is about the Headteacher contact fraud.reports@education.gov.uk
also see https://www.gov.uk/education/school-complaints-and-whistleblowing

18. Report statutory test or assessment concerns to
- the Local Authority 01708 433847
- the Standards and Testing Agency (STA) sta.maladministration@education.gov.uk

19. Also see https://www.gov.uk/complain-about-school

20. Also see Section D – contacts and useful information.

Section C: All Staff Whistle Blowing and Low Level Concerns reporting Policy

21. Policy statement

21.1. Employees are often the first to realise that there may be something seriously wrong within the school. However, they may not express their concerns because they feel that to speak up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report something which after all, may just be a suspicion of malpractice.

21.2. Engayne Primary School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect and encourage employees, and others with whom we deal, who have concerns about any aspect of the school's work, to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis (i.e. between the employee voicing the concern and the person to whom the concern is voiced).

21.3. This policy document makes it clear that you can do so without fear of victimisation, reprisal, subsequent discrimination or disadvantage. This Whistle Blowing/Confidential Reporting policy is intended to encourage and enable employees and others to raise concerns within Engayne Primary School rather than overlooking a problem or 'blowing the whistle' outside, in line with the Public Interest Disclosure Act 1998 (Whistle Blowing).

22. Aims and scope

22.1. This section of the whistle blowing policy and low level concerns applies to all employees (paid, agency or voluntary) at Engayne Primary School (permanent, temporary, casual), contractors and those in partnership roles working for the school on school premises, for example volunteers, agency staff, builders, etc.

22.2. This whistle blowing policy and low level concerns does not apply to pupils/students. Where applicable, employees are responsible for making pupils/students aware of the existence of the school's complaints procedure and other appropriate reporting procedures.

22.3. The procedure is designed to enable employees to notify the Headteacher/Chair of Governors of any reasonable suspicion of illegal or improper conduct.

22.4. It is a procedure in which the Headteacher/Chair of Governors will be expected to act swiftly and constructively in the investigation of any concerns in accordance with the school's disciplinary procedure. Safeguarding and child protection concerns will always be notified to the LADO.

22.5. The Headteacher/Chair of Governors will follow the London Child Protection procedures. CP7. Allegations Against Staff or Volunteers (People in Positions of Trust), who Work with Children (londonsafeguardingchildrenprocedures.co.uk)

22.6. Concern about a colleague's professional capability should not be dealt with using this procedure.

23. Roles and Responsibilities

24. Headteacher/Chair of Governors

24.1. The Headteacher, or where the complaint is about the Headteacher, the Chair of Governors, will follow Part Four of Keeping Children Safe in Education 2025.

24.2. The Headteacher, or where the complaint is about the Headteacher, the Chair of Governors, is expected to act swiftly and constructively in the investigation of any concerns in accordance with the school's disciplinary procedure. Safeguarding and child protection concerns will always be notified to the LADO.

24.3. Where concerns are raised with outside agencies the Headteacher/Chair of Governors must fully cooperate with any resulting investigation(s).

24.4. The Headteacher/Chair of Governors will make every effort to meet any request of anonymity where possible.

24.5. The Headteacher/Chair of Governors, where possible, should inform the complainant of the outcome of the investigation.

25. Designated safeguarding lead

25.1. If there are concerns that a member of staff, agency or contractor is a risk to a child, the DSL will be responsible for ensuring the child is not at risk, and will refer the case of suspected abuse to MASH.

26. Employees

26.1. All employees are expected to bring to the attention of the Headteacher/Chair of Governors any serious impropriety or breach of procedure.

26.2. All employees who report concerns under the whistle blowing and low level concerns procedure must be prepared to justify and support their claim in writing.

26.3. If another member of staff (other than the Headteacher/Chair of Governors) is approached by a colleague on a matter of concern as defined in this document, they should be advised to take the matter to the Headteacher/Chair of Governors.

26.4. Employees must act in the public interest and must have reasonable grounds for believing the information to be accurate

27. Legal

28. Employees and workers who make a 'protected disclosure' are protected from being treated badly or being dismissed. If they are, they can claim unfair dismissal when the reason for the 'whistleblowing' meets any of the 'qualifying disclosures' criteria. They include when someone reports:

28.1. Safeguarding and child protection issues

28.2. That someone's health and safety is in danger

28.3. Damage to the environment

28.4. A criminal offence

28.5. That the company/school isn't obeying the law i.e. not have the right insurance etc.

28.6. That someone is covering up a wrongdoing

29. The Headteacher/Chair of Governors should ensure that, where this procedure has been used in the public interest, employees are not subjected to harassment and/or victimisation for doing so.

30. The key piece of 'whistleblowing' legislation is the Public Interest Disclosure Act 1998. Other Acts and Statutory Instruments which govern the topic are:

30.1. Police Reform Act 2002 Section 37

30.2. Employment Rights Act 1996 Section 103A

30.3. Employment Rights Act 1996 Sections 43A to 43L

30.4. Management of Health and Safety at Work Regulations 1999 (No 3242) Regulation 14

30.5. Public Interest Disclosure Act 1998

30.6. Public Interest Disclosure (Compensation) Order 1999 (No 1548)

30.7. Public Interest Disclosure (Prescribed Persons) Order 1999 (No 1549)

30.8. Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2014 (No 2418)

30.9. Whistleblowing for sanctions: Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2025

30.10. The Employment Tribunals (Constitution and Rules of Procedure) (Amendment) Regulations 2013

30.11. Enterprise and Regulatory Reform Act 2013

30.12. This policy has also been developed in line with the London Safeguarding Children Partnership and the London Child Protection Procedures.

31. Procedure

32. Key Principles

32.1. This procedure is not designed to replace or be used as an alternative to the school's grievance procedure, which should be used where an employee is only aggrieved about his/her own situation. Employees who are worried about wrong-doing at work do not necessarily have a personal grievance.

32.2. Employees must act in the public interest and must have reasonable grounds for believing the information to be accurate.

32.3. No employee who uses this procedure in the public interest will be penalised for doing so. The school will not tolerate harassment and/or victimisation of any employee raising concerns.

32.4. An employee who is not sure whether the conduct they are concerned about does constitute illegal or improper conduct or is unsure about how to proceed can contact the Headteacher/Chair of Governors or Public Concern at Work https://protect-advice.org.uk for advice.

33. Safeguards

33.1. The school is committed to good practice and high standards and wants to be supportive of employees.

33.2. The school recognises that the decision to report a concern can be a difficult one to make.

33.3. The school will not tolerate any harassment or victimisation (including informal pressures) upon you as a result of making a disclosure in accordance with this policy and will take appropriate action to protect you when you raise a concern in the public interest. The school, in the event of reprisals or victimisation against you because you have acted in accordance with this policy, will consider and may take disciplinary action against any employee responsible for such victimisation and/or reprisal.

33.4. In some circumstances it is recognised that a person making information known about their colleagues may find it difficult to return to their normal job. The school has a duty of care to provide a safe working environment and treat its employees with respect. If this is not possible in the employee's normal job because of the situation surrounding the disclosure of confidential information, the school will seek to redeploy the individual, taking account of their generic and specialist skills, abilities and experience.

33.5. The School has a duty of care to their employees. The school will ensure they provide effective support for anyone facing an allegation and provide them with a named contact if they are suspended. Where the school is not the employer of an individual there is still a responsibility to ensure allegations are dealt with appropriately and that they liaise with relevant parties (this includes supply teachers and volunteers). It is essential that any allegation of abuse made against a teacher or other member of staff or volunteer is dealt with very quickly, in a fair and consistent way that provides effective protection for the child and, at the same time supports the person who is the subject of the allegation.

34. Confidentiality

34.1. All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

35. Anonymous Allegations

35.1. This policy encourages you to put your name to your allegation whenever possible. Concerns expressed anonymously are much less powerful; if made anonymously, the concern will be considered at the discretion of the school.

35.2. In exercising this discretion, the factors to be taken into account would include:

- The seriousness of the issues raised
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources

36. Untrue Allegations

36.1. If you make an allegation in the public interest, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation that is made frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

37. Mechanism for Raising Concerns

37.1. Where the issue concerns your Headteacher or, having made your report, you believe they have failed to take appropriate action, you should bring it to the attention of the Chair of Governors.

37.2. Employees who feel unable to follow this route, for whatever reason, have the option of contacting one of the names listed in section D/67 (Useful Contacts).

37.3. Depending on the nature of the concern, the complainant will be asked to justify and support their claim. Normally the complainant will be asked to do this in writing. It will, therefore, be helpful to note down any facts and dates as they happen.

37.4. Financial regulations require any employee who suspects fraud, corruption or other financial irregularity to ensure this is reported to the schools' internal auditor for possible investigation. Normally you must first report any suspicion of such irregularities to the Headteacher who in turn will report it to the Internal Audit and Corporate Risk Manager.

37.5. Employees who want to use the procedure but feel uneasy about it may wish to consult their trade union initially and bring a colleague or trade union representative along to any discussions, so long as the third party is independent of the issue.

37.6. Where anonymity is requested efforts will be made to meet the request where appropriate but that might not always be possible.

37.7. The earlier and more open the expression of concern the easier it will be to take appropriate action.

37.8. Each case will be investigated thoroughly with the aim of informing the complainant of the outcome of any investigation as quickly as possible.

38. Low level concerns

38.1. The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the harm threshold. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working (paid, agency or voluntary) in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Examples of such behaviour:

- being over friendly with children
- having favourites
- taking photographs of children on their mobile phone
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door
- using inappropriate sexualised, intimidating or offensive language.

38.2. <u>Sharing low-level concerns</u>

38.2.1. Low-level concerns about a member of staff (paid, agency or voluntary) will be reported to either the DSL (or deputy DSL) or the Headteacher. If the former, then the DSL will inform the headteacher of all the low-level concerns in a timely fashion according to the nature of each particular low-level concern. The headteacher is the ultimate decision maker in respect of all low-level concerns, although, depending on the nature of some low-level concerns, the headteacher may sometimes consult with the DSL and take a more collaborative decision making approach. Where a low-level concern is raised about the DSL, it will be shared with the headteacher.

38.2.2. The School will ensure there is an environment where staff are encouraged and feel confident to self-refer, where, for example, they have found themselves in a situation which could be misinterpreted, might appear compromising to others, and/or on reflection they believe they have behaved in such a way that they consider falls below the expected professional standards.

38.2.3. Where a low-level concern relates to a person employed by a supply agency or a contractor to work in the school, that concern will be shared with the DSL (or

deputy DSL), and/or headteacher, and recorded in accordance with the school's staff code of conduct policy and their employer notified about the concern, so that any potential patterns of inappropriate behaviour can be identified.

38.2.4. Ensuring they are dealt with effectively should also protect those working in the school from potential false allegations or misunderstandings.

38.3. Recording low-level concerns

38.3.1. All low-level concerns will be recorded in writing. The record should include details of the concern, the context in which the concern arose, and action taken. The name of the individual sharing their concerns should also be noted, if the individual wishes to remain anonymous then that should be respected as far as reasonably possible. These records will be held securely and comply with the Data Protection Act 2018 and GDPR.

38.3.2. The school will monitor and review any records so that potential patterns of concerning, problematic or inappropriate behaviour can be identified. Where a pattern of such behaviour is identified, the school will decide on a course of action, either through disciplinary procedures or where a pattern of behaviour moves from a concern to meeting the harms threshold, the case will be referred to the LADO. Consideration will be given to whether there are wider cultural issues within the school that enabled the behaviour to occur and where appropriate policies could be revised or extra training delivered to minimise the risk of it happening again.

39. Supply teachers / Agency staff

39.1. In some circumstances the school may have to consider an allegation against an individual not directly employed, where disciplinary procedures do not fully apply, for example, supply teachers / agency staff provided by an employment agency.

39.2. Whilst the school is not the employer of supply teachers / agency staff, they will work together with the agency to ensure allegations are dealt with properly. The school will not cease to use a supply teacher / agency staff due to safeguarding concerns, without finding out the facts and liaising with the local authority designated officer (LADO) to determine a suitable outcome.

39.3. The Governing body will discuss with the agency whether it is appropriate to suspend the supply teacher / agency staff, or redeploy them to another part of the school, whilst they carry out their investigation.

39.4. The Agency should be fully involved and co-operate in any enquiries from the LADO, police and/or children's social services. The school will usually take the lead because the Agency does not have direct access to children or other school staff, so they will not be able to collect the facts when an allegation is made, nor do they have all the relevant information required by the LADO as part of the referral process. Supply teachers / agency staff, whilst not employed by the school, are under the supervision, direction and control of the governing body when working in the school. They should be advised to contact their trade union representative if they have one, or a colleague for support. The allegations management meeting which is often arranged by the LADO should address issues such as information sharing, to ensure that any previous concerns or allegations known to the Agency are taken into account by the school during the investigation.

Section D: Contacts and useful information

40. **Useful contacts**

40.1. MASH Team
01708 433222 (day)
01708 433999 (night)
tmash@havering.gov.uk (enquiries)
Referral to Children/Young Person Services (havering.gov.uk)

40.2. LADO
Lisa Kennedy
lado@havering.gov.uk
01708 431653

40.3. NSPCC whistleblowing helpline
0800 028 0285 and help@nspcc.org.uk
Whistleblowing advice: https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/

40.4. Assessment
Paul Stevenson, Moderation Manager
01708 434613
paul.stevenson@havering.gov.uk

40.5. Finance/Auditor
Education Finance Education.Finance@havering.gov.uk

40.6. Education HR
Lucy Franke, Education HR Manager
01708 432171
Lucy.Franke@havering.gov.uk

40.7. Schools' Health & Safety Team
Sue Wilks, Head of Health & Safety
017084 432903
Sue.wilks@havering.gov.uk

41. **Trade Unions**

41.1. NEU – https://neu.org.uk/about/contact-us/district-branch-finder/havering

41.2. NASUWT – membership@mail.nasuwt.org.uk

41.3. Community – help@community-tu.org – 0800 389 6332

41.4. NAHT – info@naht.org.uk - 0300 30 30 333

41.5. UNISON – Gabby.Lawler@havering.gov.uk - 01708 434823

41.6. GMB - Contact Us | Havering GMB – Experts in the World of Work (gmbhavering.org.uk) - 020 8397 8881

41.7. UNITE - https://www.unitetheunion.org/contact-us - 0208 8004281

41.8. ASCL - ASCL - Contact us and enquiries - 0116 299112

42. **Other agencies**

42.1. DfE complaints
https://www.gov.uk/education/school-complaints-and-whistleblowing
Guidance for schools: https://www.gov.uk/government/publications/school-complaints-procedures
Information for parents: https://www.gov.uk/complain-about-school

42.2. DfE whistleblowing guidance
Guidance for schools: https://www.gov.uk/guidance/whistleblowing-procedure-for-maintained-schools
Information for parents/carers: https://www.gov.uk/government/publications/complain-about-an-academy

42.3. Health & Safety Executive
http://www.hse.gov.uk/

42.4. Education & Skills Funding agency – for information on reporting fraud or financial irregularity in academies
How ESFA handles allegations of suspected fraud or financial irregularity - GOV.UK (www.gov.uk)

42.5. ICO – Information Commissioners Office
https://ico.org.uk/

42.6. The Information Commissioner's Employment Practices Code - guidance on employment record retention
Microsoft Word - hra.doc

42.7. For confidential advice on how to raise a concern about malpractice at work
https://protect-advice.org.uk/education-sector/

43. **Related Documents**

43.1. The School's Disciplinary Procedure

43.2. The School's Grievance Procedure

43.3. The School's Safeguarding and Child Protection Policy, including child on child abuse

44. **Where to go for further information**

44.1. London Child Protection Procedures
http://www.londoncp.co.uk/
Section CP7 - https://www.londonsafeguardingchildrenprocedures.co.uk/alleg_staff.html

44.2. Report Teacher Misconduct government advice: https://www.gov.uk/report-teacher-misconduct

44.3. Ofsted: Handbooks and frameworks
https://www.gov.uk/government/collections/ofsted-handbooks-and-frameworks

44.4. Ofsted: Positive environments where children can flourish
https://www.gov.uk/government/publications/positive-environments-where-children-can-flourish

44.5. Ofsted: Safeguarding concerns, a guide for inspectors
https://www.gov.uk/government/publications/ofsted-safeguarding-policy/safeguarding-concerns-guidance-for-inspectors