



THOMSON HOUSE SCHOOL

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# Thomson House School Whistle-Blowing and Low-Level Concerns Policy

Agreed by: Governor's Education Committee  
Date: February 2024

Review Cycle: Annual  
Next Review Date: February 2025

All the Thomson House School policies should be read in conjunction with the Equality Policy and the Child Protection and Safeguarding policy.

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## THOMSON HOUSE SCHOOL

### WHISTLE-BLOWING AND LOW-LEVEL CONCERNS POLICY

The Whistle blowing policy is for raising concerns about the conduct of the adults in the school towards the school, it's resources, other adults and children.

Thomson House School is committed to achieving the highest possible standards of service, including honesty, openness and accountability, and recognises that employees have an important role to play in achieving this goal.

We expect the highest standards of behaviour and all employees have a responsibility to voice any concerns they have, normally with their Headteacher or Chair of Governors. We have a zero tolerance towards inappropriate conduct.

#### **Purpose of the policy**

The school adheres to the LBRUT Whistle-blowing Policy and Procedures that exist within the Anti-Fraud Framework (October 2016). The purpose of this policy is to:

- Encourage and enable the Whistle blower to feel confident in speaking up and raising concerns or suspicions
- Provide the Whistle blower with a confidential method of raising concerns
- Enable the Whistle blower to confidentially raise concerns within the school environment
- Ensure the Whistle blower receives a response to their concerns and if not satisfied, is aware of how to take the matter further
- Reassure the Whistle blower they will be protected from reprisals or victimisation for Whistleblowing where they reasonably believe the disclosure to be made in the public interest.

This policy enables Thomson House School staff to raise concerns relating to:

- crime
- a miscarriage of justice
- illegality
- inappropriate behaviour of staff
- the safeguarding of children
- health and safety
- environmental or property damage
- unauthorised use of public funds / fraud
- unauthorised use of data
- concealing or attempting to cover up any of the above.

It provides additional information to help staff to understand the role of whistle blowing in the context of poor practice and unacceptable conduct and attitudes towards children.

### **When to use the policy**

The whistle blowing procedures and this code may be used by anyone employed by the school in a paid or voluntary capacity who believes they have reason to suspect that the conduct of an employee is inappropriate - including their behaviour towards a child or another adult.

Inappropriate conduct includes, but is not confined to:

- bullying or humiliation of adults or children
- inappropriate behaviour towards adults or children
- contravening health and safety guidelines
- theft of the school's resources, employees' belongings, data
- misuse of the school's resources / data
- serious breaches of the school's code of conduct
- professional practice that falls short of normally accepted standards
- compromising pupils' welfare but in a way that does not meet the threshold for child protection intervention.

### **Reasons for blowing the whistle**

Staff will naturally be reticent to report a concern about the conduct of a colleague. However, each individual must take responsibility for ensuring that children are protected and fairly treated. If poor practice is allowed to continue unchecked, it could escalate with serious consequences.

Your action not only protects children, but also deters any suggestion that you have colluded with poor practice that you knew was occurring but chose to ignore.

Whistle blowing 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.

Staff who deliberately fail children and show no remorse or desire to improve are unlikely to welcome being exposed, but their conduct must be confronted for the sake of the child and the reputation of the whole school.

### **Barriers to whistle blowing**

You may worry that you have insufficient evidence to raise a concern that you will set in train an unstoppable chain of events, that there will be adverse repercussions for your career, that you may suffer harassment or victimisation, or that your suspicion or concern might be totally misplaced.

These concerns are entirely understandable, but you can be reassured that whistle blowing procedures addresses these issues.

The Public Interest Disclosure Act 1998 protects employees from reprisals for public interest whistle blowing. Your union, a solicitor or the local authority legal services can provide you with information about your legal position.

### **Confidentiality and anonymity**

All concerns are treated in confidence and, as far as possible, your identity will not be revealed if that is your wish. However, absolute confidentiality cannot be guaranteed if, as a result of an investigation, you are required to provide a witness statement or attend a court hearing.

You can, if you prefer, raise your concern anonymously. The school would need to decide whether the levity and credibility of the concern warrants investigation if the source of the concern, and the key evidence, is not readily available.

The school will fully support you and do all it can to protect you from any harassment or adverse repercussions that may arise from whistleblowing. Allegations that prove to be deliberately fabricated and malicious will be dealt with through staff disciplinary procedures. However, no action will be taken against any member of staff who raises a genuine concern that proves to be unfounded.

### **Reporting procedure**

It may help if you write down, for your own benefit, what you have observed or heard that is causing alarm. One useful way to decide whether your concern should be reported is to consider whether you would want the conduct of this member of staff to continue unchecked if your own child or another young family member was involved.

How to raise a concern:

- You may raise your concern verbally or in writing.
- You should report your concern directly to the Head Teacher, or to the DSL.
- If the Head Teacher is the subject of your concern, you should report your concern to the Chair of Governors:

Kelly McEvoy [kelly.mcevoy@thomsonhouseschool.org](mailto:kelly.mcevoy@thomsonhouseschool.org)

In the absence of the Chair of Governors, the Vice Chair should be contacted. The Vice Chair in this school is:

Heather Locke [heather.locke@thomsonhouseschool.org](mailto:heather.locke@thomsonhouseschool.org)

Once a concern has been raised, the Head Teacher (or Chair of Governors) will ask you to a meeting, within 2 days, to discuss the concern. A friend, colleague or union representative may accompany you to the meeting if you wish.

Having heard your concern, the Head Teacher (or Chair of Governors) will then inform you of their proposed action and set a date for a second meeting (ideally within 5 working days of the first meeting). Timescales will depend on the complexity of the initial inquiry, but the case should not be allowed to stall, and you should receive initial feedback within 5 working days. The timescale for subsequent feedback should then be agreed.

At the meetings, clarification about confidentiality will be given and the whistle-blower's wishes, regarding the protection of your identity, recorded.

If the concern involves inappropriate behaviour towards children, the LADO (Local Authority Designated Officer) will be informed.

#### **LADO:**

Jackie Alsop on 020 8891 7370 or 07774 332 675    [lado@achievingforchildren.org.uk](mailto:lado@achievingforchildren.org.uk)

The school will follow advice from the LADO with regards to the safeguarding of children.

If any member of staff is concerned about the imminent safety / well-being of a child, they should immediately call the Richmond Single Point of Access (SPA):

**SPA:** 020 8547 5008

#### **Process and outcome**

The Head Teacher or Chair of Governors will make enquiries to establish the facts of the matter and whether poor practice or inappropriate conduct has occurred.

- Members of the school community may be asked to provide information or advice.
- External advice, for example, from the LADO, from legal advisors, from human resources or children's services may be sought.
- A written record of the conduct, established facts and outcome of the inquiry will be kept.
- The whistle blower will be kept informed of the progress of the inquiry.

The outcome of the inquiry will be one of the following:

1. No poor practice or wrongdoing is established and the case is closed
2. The concern has some substance and the subject of the concern will receive advice and support from the Head Teacher to improve practice

3. Poor practice or wrongdoing is established and disciplinary proceedings are initiated
4. The concern is more serious and an investigation is initiated. This investigation may involve a legal team, children's social care or the police.

If, at any stage in the process, there is reason to believe that a child is at risk of significant harm, the LADO will be informed and children's social care will be immediately involved.

### **Low-level concern procedure**

The overarching aim is to facilitate a culture in which the clear values and expected behaviours which are set out in our Code of Conduct are lived, constantly monitored, and reinforced by all staff. In particular, the intention is to:

- maintain a culture of openness, trust and transparency in which staff are confident and clear about expected behaviours of themselves and their colleagues, the delineation of boundaries and reporting lines;
- ensure staff feel empowered to raise any low-level concern, whether about their own or a colleague's behaviour, where that behaviour might be construed as falling short of the standards set out in our Code of Conduct; and Safeguarding and Child Protection Policy
- provide for responsive, sensitive and proportionate handling of such concerns when they are raised – maintaining on the one hand confidence that concerns when raised will be handled promptly and effectively whilst, on the other hand, protecting staff from false allegations or misunderstandings.

### **What is a low-level concern?**

A low-level concern for this purpose is any concern, no matter how small and even if no more than a 'nagging doubt', that an adult may have acted in a manner inconsistent with the school's Code of Conduct or simply – even if not linked to a particular act or omission – a sense of unease as to the adult's behaviour particularly towards or around children.

### **Low-Level Concerns about self (self-reporting)**

From time to time an individual may find him/herself in a situation which might appear compromising to others or which could be misconstrued. Equally, an individual may for whatever reason have behaved in a manner which on reflection he/she considers falls below the standard set out in the Code of Conduct. Self-reporting in these circumstances is encouraged as it demonstrates both awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived. As such, the school sees self-reporting of low-level concerns as an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

### **What should I do if I have a low-level concern?**

Where a low-level concern exists, it should be reported to the Head Teacher as soon as reasonably possible and, in any event, within 24 hours of becoming aware of it (where the

concern relates to a particular incident). In the event that the low-level concern is about the Head Teacher, it should be reported to the Chair of Governors.

A low level concern should be recorded on the Low Level Concern Form, which can be found at the end of this policy.

### **How will my low-level concern be handled?**

The Head Teacher/DSL will discuss all low-level concerns with the safeguarding team as soon as possible and in any event within 24 hours of becoming aware of it. The Head Teacher/DSL will, in the first instance, satisfy him/herself that it is a low-level concern and should not be reclassified as an allegation and dealt with under the appropriate procedure. The circumstances in which a low-level concern might be reclassified as an allegation are where:

- a) the threshold is met for an allegation
- b) there is a pattern of low-level concerns which collectively amount to an allegation or
- c) there is other information which when considered leads to an allegation.

Having established that the concern is low-level, the Head Teacher/DSL will discuss it with the individual who has raised it and will take any other steps to investigate it as necessary. Most low-level concerns by their very nature are likely to be minor and will be dealt with by means of management guidance, training etc.

### **What records will be kept?**

Where a low-level concern has been communicated, a confidential record will be kept on Staff Safe. This is necessary to enable any patterns to be identified. However, no record will be made of the concern on the individual's personnel file (and no mention made in job references) unless either:

- a) the concern (or group of concerns) has been reclassified as an allegation as above; or Safeguarding and Child Protection Policy
- b) the concern (or group of concerns) is sufficiently serious to result in formal action under the school's grievance, capability or disciplinary procedure.

### **Further action, help and support**

If you raise a concern and you are dissatisfied with the way it is managed, or the outcome, you may contact the governing body or local authority for advice.

Alternatively, you can seek advice from your union or professional association, a solicitor, the police, children's social care, the NSPCC or Public Concern at Work (PCaW), registered charities that offer free and confidential advice on workplace malpractice.

## **NSPCC**

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally.

Staff can call: 0800 028 0285 or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

## **Public Concern at Work**

Staff can contact PCaW for further help and support. [www.pcaw.org.uk](http://www.pcaw.org.uk)

Whistleblowing Advice Line: 020 3117 2520  
Email Advice line: [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk)

## **Report to Governing Body**

The Headteacher will report to governors the outcome of whistle blowing investigations, anonymising the detail but confirming the outcome and any school actions arising from the investigation.

## **Monitoring and Review**

This policy is monitored by the Education Committee and will be reviewed every year.

**Date of Policy:** Feb 2024

**Date for Review:** Feb 2025



## Low Level Concern Form

This form can be used to share any concern with the Executive Head Teacher or Head of School, no matter how small or seemingly insignificant, even if no more than causing a sense of unease or a 'nagging doubt' – that an adult may have acted in a way that is inconsistent with the Schools' Code of Conduct [including inappropriate conduct outside of work] and/or in a way that on first glance does not appear to meet the allegation, 'harm' threshold.

A concise record is required, including brief context in which the low level concern arose, plus details which are chronological, precise and as accurate as possible, of any such concern and /or relevant incident[s]. [Continue on separate sheets as necessary]. The form should be signed, times and dated.

**Details of CONCERN:**

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**Name of Staff member :**

**Department and Role :**

**Signed :**

**Time and Date :**

**Received by :**

**At [time] :**

**Date :**

**WAS THE STAFF MEMBER SPOKEN TO? [Good practice will require a response].**

**NO  - Give a brief but valid reason/explanation for not;**

**YES  - Please complete detail below - STAFF MEMBER'S RESPONSE TO CONCERN :**

**ACTION TAKEN :**

Was advice/guidance sought from the LADO? Yes :  No :

**Signed :**

**Dated :**

This record form will be held securely, either digitally or in paper form, in one central file in accordance with the School's Code of Conduct and any associated guidance regarding the management of concerns and or allegations and in accordance with School's Data Management practices/policies.

Low Level Concern reporting will be treated as confidential as far as possible, however in certain circumstances it may be necessary to share and or disclose the information with third parties for relevant and necessary reasons. This includes where a reporter has indicated they wish to remain anonym