

# St Saviour's RC Primary School

*Pray Together, Learn Together, Stronger Together in Jesus*



## Whistleblowing Policy 2021

**Date Agreed:** September 2021

**Review Date:** September 2023

# St. Saviour's R.C. Primary School

## Whistleblowing Policy

### Mission Statement

*Pray Together, Learn Together, Stronger in Christ*

## WHISTLEBLOWING POLICY AND PROCEDURE

### Introduction

St Saviour's RC Primary School is committed to conducting its business with honesty and integrity, and expects all staff to maintain high standards in accordance with their contractual obligations and the school's policies and procedures from time to time in force.

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 or to address them when they do occur.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- To provide staff with guidance as to how to raise those concerns;
- To reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the school and the school reserves the right to amend its content at any time.

This Policy reflects the school's current practices and applies to all individuals working at all levels of the organisation, including the Headteacher, Heads of Department, members of the Senior Leadership Group, officers, employees, consultants, contractors, trainees, home-workers, part-time and fixed-term workers, casual and agency staff (*collectively referred to as "Staff" in this policy*) who are advised to familiarise themselves with its content.

## **What is whistleblowing?**

Whistleblowing is the disclosure of information, which relates to suspected wrongdoing or dangers at work. This may include:

- Criminal activity
- Child protection and/or safeguarding concerns
- Miscarriages of justice
- Danger to health and safety
- Damage to the environment
- Failure to comply with any legal or professional obligation or regulatory requirements
- Financial fraud or mismanagement
- Negligence
- Breach of our internal policies and procedures including our Code of Conduct
- Conduct likely to damage the School's reputation
- Unauthorised disclosure of confidential information
- The deliberate concealment of any of the above matters

A whistleblower is a person who raises a genuine concern that he/she believes is in the public interest relating to any of the above. If the member of staff has any genuine concerns related to suspected wrongdoing or danger affecting any of the School's activities (a whistleblowing concern) they should report it under this policy.

This policy should not be used for complaints relating to staff's own personal circumstances, such as the way they have been treated at work. In those cases they should use the Diocesan Grievance Policy.

## **Raising a whistleblowing concern**

You can raise concerns orally or in writing. Whichever you decide to do, you should make a note so that you have a record for future reference. This note should include what occurred, where and when, and also who you submitted the complaint to and when. If you decide to raise a matter orally you may be requested to make a written statement at a later stage depending on the circumstances. The seriousness of the issue will influence who you decide to raise it with. The earlier you express your concern the easier it will be to take action.

## **REMEMBER - IF IN DOUBT RAISE IT**

If staff are uncertain whether something is within the scope of this policy they should seek advice from the Headteacher. Should the matter be in relation to the Headteacher or the SLT then the staff member should seek the advice of the Chair of the Governing Board in the first instance

## **Concerns against Governing Body members**

If a concern against a Governing Body member is received then this will be treated in the same way as any other concern. It will receive the same serious consideration. The concern should be raised with the Chair of the Governing Board who will decide how it should be dealt with.

If the concern is against the Chair of the Governing Board, then the concern should be referred to the Department for Education for action.

If the issue is of a very serious nature, for example concerning mal treatment of service users, maladministration or an illegal act, you may decide that it is appropriate to contact the Chair of the Governing Board with statutory responsibility for taking action on illegality or maladministration. If the issue involves possible fraud or corruption you may decide to contact the Department of Education.

The action taken by the School will depend on the nature of the concerns raised. The matters will normally be investigated internally by the Governing Body and where the identity of the person is known the School will send a response within 7 school working days.

However, in appropriate cases the concerns may be referred to a regulatory body or the Police in criminal matters.

If someone gives you information which is of concern to them you should treat it seriously in accordance with this procedure and not dismiss it without giving it proper thought.

The School will arrange a meeting with the member of staff as soon as possible to discuss their concern. Staff may bring a colleague or trade union representative to any meetings under this policy; however they must respect the confidentiality of the disclosure and any subsequent investigation.

The School will take down a written summary of the concern raised and provide the member of the staff with a copy as soon as practicable after the meeting. The School will also aim to give the member of staff an indication of how we propose to deal with the matter.

## **Safeguarding**

If a member of staff suspects that there is a serious safeguarding issue that they feel that the Headteacher / DSL is not taking seriously or that they believe there is a serious safeguarding issue involving the Principal they should in the first instance contact their Designated Safeguarding Lead or the Local Safeguarding Children Board / LADO.

## **Confidentiality**

The School hope that Staff will feel able to voice whistle blowing concerns openly under this policy. However, if a member of staff wants to raise his or her concern confidentially, the school will endeavour to keep his or her identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of staff's concern to know their identity, the School will discuss this with the member of staff first.

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. It is also more difficult to establish whether any allegations are credible and have been made in good faith. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality.

If a member of staff is in any doubt they can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline.

Their contact details are:

Public Concern at Work  
(Independent whistleblowing charity)  
Helpline: (020) 7404 6609  
E-mail: [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk)  
Website: [www.pcaw.org.uk](http://www.pcaw.org.uk)

### **Public Interest Disclosure Act 1998**

While issues raised anonymously will still be looked into, it is much better for complainants to identify themselves so the matter can be properly dealt with.

Everything possible will be done to protect your identity, but you may be requested to act as a witness if disciplinary or other proceedings follow the investigation of the issues you have raised.

If you raise an issue under this procedure in good faith and believing it to be true the Public Interest Disclosure Act 1998 protects you from any repercussions on your present position or future career. The Act does not protect anyone who is acting maliciously, making false allegations or who is seeking personal gain.

If the academy concludes that a whistleblower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistleblower will be subject to disciplinary action under the Trust's Disciplinary Policy and Procedure.

### **External Disclosures**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases Staff should not find it necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate for Staff to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage a member of staff to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Whistleblowing concerns usually relate to the conduct of School Staff, but they may sometimes relate to the actions of a third party, such as a service provider.

The law allows Staff to raise a concern in good faith with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, Staff are encouraged to report such concerns internally first. Staff should contact one of the other individuals set out above for guidance.

### **Investigation and Outcome**

Once a member of Staff has raised a concern, the School will carry out an initial assessment to determine the scope of any investigation. The School will inform the member of staff of the outcome of its assessment. The member of staff raising the concern may be required to attend additional meetings in order to provide further information.

In some cases the School may appoint an investigator or team of investigators including Staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the School to minimise the risk of future wrongdoing. The School will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the School from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

If the School concludes that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action under the School's Disciplinary Policy and Procedure.

Whilst the School cannot always guarantee the outcome a particular member of staff is seeking, the School will try to deal with the concern fairly and in an appropriate way. If a member of staff is not happy with the way in which his or her concern has been handled, he or she can raise it with one of the other key contacts outlined above.

### **Protection and Support for Whistleblowers**

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.

Staff must not suffer any detrimental treatment as a result of raising a concern.

Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that he or she has suffered any such treatment, he or she should inform the Headteacher immediately. If the matter is not remedied the member of staff should raise it formally using the School's Grievance Policy and Procedure.

Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

All Staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved.

Comments, suggestions and queries should be addressed to the Principal in the first instance.

### **Supporting Policies and Resources**

Child Protection and Safeguarding Policy

Dealing with Allegations of Abuse Against Staff Policy

Staff Code of Conduct Policy

Staff Grievance Policy

[www.gov.uk/whistleblowing/what-is-a-whistleblower](http://www.gov.uk/whistleblowing/what-is-a-whistleblower)

NSPCC whistleblowing helpline

Tel: 0800 028 0285 available from 8am to 8pm, Monday to Friday can be

E-mail: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

Public Concern at Work Helpline

Tel: (020) 7404 6609

Independent Whistleblowing Charity

E-mail: [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk)

Website: [www.pcaw.org.uk](http://www.pcaw.org.uk)

[Public Interest Disclosure Act 1998](#)

**Monitoring and Implementation Policy**

The policy is reviewed annually, although the School may vary or amend it periodically to ensure that we fulfil our obligation around Whistleblowing. All proposed changes to this policy would be made following the approval from the Resources Committee.

**Adopted:** September 2019

**For Review:** September 2021