

St. Luke's C of E Primary School Whistleblowing policy

Policy: Whistleblowing
Full Governing Body
Reviewed: Spring 2021
For Review: Spring 2022

Introduction

We are committed to the highest possible standards of openness and accountability and believe in conducting our business with honesty and integrity. We expect all staff and volunteers to maintain high standards in accordance with contractual obligations, the Code of Conduct and our school's policies and procedures.

Whistleblowing is the disclosure of information which is in the 'public interest' and relates to suspected wrongdoing or dangers at work.

A 'whistleblower' is a person who raises a genuine concern in good faith. It is not necessary for the person to have proof that such an act is being, has been or is likely to be committed. However, those raising concerns must have reasonable grounds for believing that the information they have is accurate.

This policy sets out the way in which individuals may raise any concerns and how those concerns will be dealt with. It is not a substitute or alternative for existing procedures such as the Grievance/Disciplinary Procedures for staff or the Complaints Procedure.

This policy should only be used where all other existing internal procedures are felt to be inappropriate or when a person, for whatever reason, feels s/he cannot go through the normal line management route.

Scope

This policy applies to all individuals including staff, governors, consultants, contractors, trainees/students, part-time and fixed-term workers, casual and agency staff and volunteers (collectively referred to as "staff" in this policy).

Aims of this policy

- To encourage staff to raise concerns about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice or is inconsistent with school standards and policies in the knowledge that their concerns will be taken seriously and investigated as appropriate.
- To provide staff with guidance as to how to raise those concerns.
- To reassure staff that they are able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be a mistaken.

Concerns that may be considered 'in the public interest'

This list includes (but is not limited to):

- child protection and/or safeguarding concerns about staff or adults working in school and/or remotely (please see our Safeguarding & Child Protection Policy for procedures relating to allegations against staff/adults working in school)
- unlawful conduct
- action that has caused or is likely to cause physical danger to any person or risk serious damage to school property
- miscarriages of justice

- mistreatment or harassment of any person
- health and safety issues including risks to the public as well as risks to pupils and members of staff
- action that has caused or is likely to cause danger to the environment
- failure to comply with any legal or professional obligation or regulatory requirements
- potential maladministration, misconduct or malpractice
- financial fraud or mismanagement
- negligence
- breach of the school's internal policies and procedures including its Code of Conduct
- conduct likely to damage the school's reputation
- misuse of school resources
- unauthorised disclosure of confidential information
- the deliberate concealment of any of the above matters

Principles

- Staff understand that if they fail to report concerns which are subsequently reported by someone else, they may be implicated in any wrongdoing through their failure to report.
- Staff are encouraged not to raise concerns anonymously. Proper investigation may be more difficult or impossible if further information cannot be obtained.
- We understand that whistleblowers are sometimes worried about possible repercussions. We will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.
- Staff will not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. Anyone who threatens or retaliates against whistleblowers will be subject to disciplinary action. If a member of staff believes that s/he has suffered any such treatment, s/he will inform the Headteacher (or Chair of Governors – see below) immediately. If the matter is not resolved, the member of staff should raise it formally using the School's Grievance Procedures.
- If staff are uncertain whether something is within the scope of this policy, they will seek advice from the Headteacher; if the matter is in relation to an alleged wrongdoing by the Headteacher then staff will seek the advice of the Chair of Governors.
- If a concern about a Governor is received then this will be treated in the same way as any other concern. The concern will be raised by the Headteacher with the Chair of Governors who will decide how it should be dealt with.
- If the concern is about the Chair of Governors then the Headteacher will contact the Local Authority.

Raising a whistleblowing concern

- We encourage staff to raise any concerns with the Headteacher (or Chair of Governors – see above), either in person or in writing.
- The Headteacher/Chair of Governors will arrange a meeting with the whistleblower as soon as practicable to discuss his/her concerns and will record sufficient details to be able to carry out an initial assessment to determine the scope of any investigation. Whistleblowers may bring a colleague or trade union

representative to any meetings under this policy, who must respect the confidentiality of the disclosure and any subsequent investigation.

- Whistleblowers can request confidentiality. However, in some cases it will not be possible to maintain confidentiality and the Headteacher/Chair of Governors will explain this to the whistleblower.
- The Headteacher/Chair of Governors will look into concerns raised to see what should happen. This may involve:
 - An internal investigation
 - An external auditor
 - An independent inquiry
 - The police
- The Headteacher/Chair of Governors will normally write to the whistleblower within 10 working days of receiving his/her concerns and will list the concerns, who is handling the matter, how the whistleblower can contact that person and whether further help/information is needed from the whistleblower. The Headteacher/Chair of Governors will also tell the whistleblower where to get support if this is needed.
- Any member of staff raising a concern under this procedure will be kept informed of progress by the Headteacher/Chair of Governors, including, where appropriate, the final outcome. The member of staff is required to treat any information about the investigation as strictly confidential. However, in certain circumstances, e.g. where disciplinary action under the School's Disciplinary Procedure has resulted from the concern, it may not be appropriate to provide specific details due to the confidentiality and sensitivity of such matters
- Staff understand that if an individual misuses the policy and procedure e.g. by making malicious or repeated unsubstantiated complaints against colleagues, this could give rise to action under the School's Disciplinary Procedure.

Further advice and support

It is recognised that whistleblowing can be difficult and stressful. Advice and support is available from the HR department and/or professional trade union representatives. Support is also available from the Local Authority counselling service, which can be accessed via self-referral.

Advice is also available 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 Website: www.pcau.co.uk

Advice is also available from the Shared Audit Service (South West London Audit Partnership - SWLAP) on 020 8547 4624 (Kingston)

For concerns involving potential fraud or criminal activities, the Fraud Line can be contacted on 0800 389 9795

Advice is also available from the NSPCC Whistleblowing helpline: 0800 028 0285 help@nspcc.org.uk

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