

SAINT PHILIP'S C.E.PRIMARY SCHOOL



WHISTLE BLOWING POLICY

Adopted by St. Philip's Governing Body January 2018

Introduction

The 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.

This policy was put in place to

- support employees to feel confident to raise concerns
- give employees avenues to raise concerns and receive feedback on any action taken
- guarantee that an employee will receive a response to his/her concerns raised and that he/she is aware of the process to follow if not satisfied
- To reassure employees that they will be protected from possible reprisals or victimisation

Scope

This policy applies to all employees.

It is not intended that the Whistle Blowing Policy will be used where other more appropriate procedures are available, eg grievance procedures or anti-harassment policy & procedures. The Whistle Blowing Policy is intended to cover concerns that fall outside the scope of these existing procedures and is aimed at addressing areas relating to possible malpractice or wrongdoing.

Aspects of malpractice and wrongdoing which may be raised under the provisions of the Whistle blowing Policy include: -

- Any unlawful act, whether criminal or a breach of civil law, including fraud, corruption or theft, has been or is likely to be committed;
- A miscarriage of justice has been/is likely to occur;
- Waste, abuse or misuse of the School's resources, including unauthorised use of public funds;
- Breach of the Code of Conduct for Employees;
- Breach of Schools Financial Regulations;
- The health and safety of any individual has been, or is likely to be, endangered;
- The environment has been, is being or is likely to be, damaged;
- Any other form of improper action or conduct is taking place;
- Information about any of the above has been, is being, or is likely to be, deliberately concealed.

How to Raise a Concern

- The earlier an employee expresses a concern, the easier it will be to take action.
- Employees should initially raise their concerns with their immediate line manager. However, the most appropriate person to contact to report a concern will depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. If it is not appropriate to raise the matter with the immediate line manager, then the next option would be the Headteacher or member of the Senior Leadership Team.
- If it is not appropriate to raise the matter with the Headteacher, then the matter should be raised with the Chair of the Governing Body. The Governing Body will investigate those matters that fall clearly within its area of operational responsibility or will formally refer the matter to the Police as it may consider appropriate. In all cases the responsibility for investigating the allegation quickly should be accepted.
- Wherever possible, concerns should be expressed in writing, setting out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee is particularly concerned about the situation.
- However, if an employee does not feel able to put the concern in writing, he or she should be allowed to telephone or meet the Headteacher or a member of the Senior Leadership Team.
- Although an employee is not expected to prove the truth of an allegation, he or she will need to demonstrate to the person contacted that there are sufficient grounds for a concern to be raised and to enable the matter to be taken forward.
- Employees may wish to invite their Trade Union to raise a matter on their behalf.

How the Matter will be investigated

Allegations will be handled confidentially and discreetly by those who are directly involved in the investigating process.

Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. As outlined above, concerns or allegations which fall within the scope of specific procedures (for example disciplinary procedures) should normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action, once the employee's concerns have been explained, without the need for a formal investigation. In these cases confirmation will be sought from the employee that they are satisfied that the matter is resolved but they will be invited to raise the matter again if the agreed actions are not pursued or do not resolve the problem.

An employee expressing a concern will receive a formal acknowledgement within 10 working days of the concern being received. This acknowledgement will indicate: -

- How the matter will be handled
- An estimate of how long it will take to provide a response
- Any initial enquiries that may have been made
- Whether further investigations will take place, and if not, why not
- Contact details for the person handling the investigation

If necessary, further information will be sought from the employee. This will depend on the nature of the matters raised, the potential difficulties involved in conducting an investigation and the clarity of the information provided.

At any meeting arranged to discuss an employee's concerns the employee has the right, if they so wish, to be accompanied by their Trade Union representative or a friend who is not involved in the area to which the concern relates.

Appropriate steps will be taken to minimise any difficulties that an employee may experience as a result of raising a concern. For example an employee is required to give evidence in criminal or disciplinary proceedings, appropriate advice will be provided to the employee about the procedures in terms of what will happen and what will be expected of them.

The investigation will conclude with a report by the Investigating Officer to the Headteacher, Chair of Governors or other relevant person. This will summarise the Investigating Officers findings on the allegations and recommend further action if any.

Monitoring, Awareness and Training

The Governing Body will be responsible for monitoring the effectiveness of the procedures outlined in this Guidance Note and for amending the procedures as necessary. The Governing Body will ensure that all members of their staff are aware of the procedures and that any training needs are addressed (in consultation with the Headteacher) which may arise from the application of the procedures.

Raising awareness of the Whistle Blowing Policy will form part of the induction training for all employees.

The Headteacher (or Chair of Governors in the case of the Headteacher) should maintain a confidential central record for a period of five years (seven years for allegations of financial irregularities) and a copy should be held by our HR provider of all Whistleblowing allegations which have been raised and the responses provided.

Anonymous allegations

Concerns expressed anonymously are much less persuasive than when an employee is prepared to come forward formally. Nevertheless, anonymous allegations will be considered at the discretion of the Governing Body depending upon: -

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

Anonymous concerns will be recorded on a central record

False and malicious allegations

While encouraging employees to bring forward matters of concern, the Governing Body will guard against claims that is untrue but also claims made deliberately to damage the reputation of other employees in the school.

Consequently if an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be considered or taken. However, if an employee makes false, malicious or vexatious allegations this will be treated as a serious disciplinary offence and disciplinary action will be taken.

Harassment or victimisation

The Governing Body acknowledges that the decision to report a concern can be a difficult decision for an employee to take, not least because of the fear of reprisal from those responsible for the malpractice. The Governing Body will not tolerate harassment or victimisation and will take appropriate action to protect any person who raises a concern in good faith.

The Governing Body will monitor how employees are subsequently treated after raising a matter of concern and if there is find evidence of harassment or victimisation, it will be dealt with under disciplinary arrangements.

If a concern is raised under this policy, employees will not be at risk of losing their job or suffering any form of retribution, provided that the disclosure was made in good faith, was not being made for personal gain, and that the employee reasonably believed that the information and any allegation contained in it, were substantially true.

Any employee who believes they have been harassed or victimised as a result of raising a genuine concern should contact the Headteacher or a relevant person.

The Public Interest Disclosure Act 1998 offers certain protections to employees. Further information is available via the government's website.

Safeguarding

All employees have a duty to report concerns about the safety and welfare of pupils.

Concerns about **ANY** of the following:

- Physical abuse of a pupil
- Sexual abuse of a pupil
- Emotional abuse of a pupil
- Neglect of a pupil
- An intimate or improper relationship between an adult and a pupil

How the Matter Can be Taken Further

If an employee is not satisfied, and feels it appropriate to take the issue further, the employee may make a protected disclosure to a third party, in accordance with the provisions of the Public Interest Disclosure Act 1998.

Contact Points:

Secretary of State for Education
Office of Qualifications and Examinations Regulation
Ofsted
Local Authority
Children's Commissioner
NSPCC
National Audit Office
The Health & Safety Executive
The Environment Agency

The Governing Body will make every effort to ensure that a satisfactory conclusion is reached to minimise the cases where the employee feels they must resort to these measure

If an employee takes the matter outside the school they must ensure that confidential information is not disclosed.

Whistleblowing to an external source without first going through the internal procedure is inadvisable without compelling reasons.

Chair of Governors – Mr P Geldard

Signature _____ *P Geldard* _____

Date _____ 14.02.18 _____

Date to be reviewed __Feb/March 2019__

