



Whistleblowing Policy

Date: September 2019

Review date: September 2020

Linked with other policies: Safeguarding & Child Protection

Signed: *S. Day*

Philosophy

As a person working at the school, you may be the first to realise that there may be something seriously wrong within the School. However, you may feel that speaking up would be disloyal to your colleagues or to the School. You may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice. The School is committed to the highest possible standards of openness, integrity and accountability. We expect staff and others involved at the School in any capacity, who have serious concerns about any aspect of the school, to come forward and voice those concerns.

The purpose of this Policy and the accompanying Whistleblowing Procedure is to make it clear that you can raise your concerns in confidence, without fear of victimisation, subsequent discrimination or disadvantage. The School encourages you to raise serious concerns in the first instance within the school rather than overlooking the problem or 'blowing the whistle outside, and would rather that you raised the matter when it is just a concern rather than waiting for proof.

The School recognises that staff may wish to seek advice and be represented by their trade union representative when raising a concern under the Policy, and acknowledges and endorses the role of the trade union representative in this area.

The Policy has been prepared in response to the Public Interest Disclosure Act 1998.

Aims of the Policy

This policy aims to:

- Encourage you to feel confident in raising concerns and to question and act upon concerns
- Provide avenues for you to raise those concerns and receive feedback on any action taken
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have raised any concern in good faith.

There are existing procedures in place to enable staff to lodge grievances relating to their employment. The Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures, including complaints procedure. This Policy therefore includes your concerns about:-

- Conduct which is an offence or a breach of law.
- Harassment of others.
- Sex, race or disability discrimination against others.
- Health and safety risks, including risks to the public as well as other staff.
- Damage to the environment.
- The unauthorised use of public funds.
- Possible fraud or corruption.
- Sexual or physical abuse of students.
- Unethical/improper conduct (not otherwise included in this list). □ Concealing information about any of these matters.

Complaints relating to harassment or discrimination against yourself will be dealt with under the specific procedures relating to those matters.

It should be emphasised that this Policy is intended to assist individuals who have discovered malpractice or serious wrongdoing, provided they make the disclosure in accordance with the Policy. The Policy is not designed to question financial or business decisions taken by the School, nor may it be used to reconsider any matters that have already been addressed under the harassment, complaint or disciplinary procedures. Individuals who make disclosures outside the arrangements set out here will not be protected under the Policy and may not be protected under the Act.

Strategies

The School is committed to good practice and high standards and wants to be supportive of staff and others who work for the School. The accompanying Whistleblowing Procedures have been prepared to achieve the aims of the Policy.

The School recognises that the decision to report a concern can be a difficult one to make. If you raise your concern based on reasonable belief and in good faith, you have nothing to fear because you will be doing your duty to the School and the public. The Public Interest Disclosure Act 1998 will protect you from dismissal or other detriment. If your concern is not confirmed by investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, then disciplinary action may be taken against you.

The School will not tolerate any harassment or victimisation, (including informal pressure), and will take appropriate action to protect you when you raise concern in good faith, even if you are genuinely mistaken in your concerns. Any harassment or victimisation of a whistleblower may result in disciplinary action against the person responsible for the harassment or victimisation.

Any investigation into allegations arising from your whistleblowing will not influence or be influenced by any other personnel procedures to which you may be subject.

Roles and Responsibilities

The Governing board has the overall responsibility for the maintenance and operation of this Policy. The Governing Board will maintain a record of concerns raised and the outcomes, (but in a form which does not endanger your confidentiality) and will report as necessary to the Local Authority.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you wish. If we are unable to resolve your concern without revealing your identity, (eg: because your evidence may be needed in court), we will discuss this with you.

Anonymous allegations

This Policy encourages you to put your name to your allegation whenever possible.

Concerns expressed anonymously are much less powerful, but may be considered by the School taking into account:

- the seriousness of the issues raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources.

The Headteacher will decide in each case whether a complaint made anonymously should be investigated.

Recording

Concerns may be raised orally or in writing, although written submissions are preferred. A Whistleblowing Form is attached to the procedures and may be obtained from the Headteacher. The School encourages you to identify yourself when raising a concern, but if you wish, you may remain anonymous.

Disclosures should provide as much information as possible about the matter, including dates, individuals involved and other possible sources of information. The disclosure needs to demonstrate that there are reasonable grounds for making the allegation.

Whistleblowing Procedures

How to Raise a Concern

As a first step, you should normally raise concerns with the Headteacher. This depends however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.

If you have a concern about the abuse or ill-treatment of a child in the school, you must follow the procedure outlined in the Child Protection and Safeguarding Policy. This means that the Child Protection Officer in the school must be informed immediately.

If you are unsure whether or how to raise a concern, you can contact the Independent Voluntary Organisation Public Concern at Work on 020 74046609 for guidance.

Concerns may be raised orally or in writing, (see Recording).

If you believe that the Headteacher is involved, or you are not happy with the Headteacher's response to your concerns, you should approach:

- The Managing Director via the Registered Office address
- You can also telephone the County Council's Whistleblowing Hotline on 01603 224433

The earlier you express the concern, the easier it is to take action.

Although you are not expected to provide proof for your concern, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

You may wish to consider discussing your concern with a colleague first and may find it easier to raise the matter if there are two, (or more), of you who have had the same experience or concern. You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised. Any meetings that need to be arranged with you can be held off-site if you wish.

How the School will respond

When you raise a concern (normally with the Headteacher), you will be informed that the matter will be looked into immediately. Confidentiality will be maintained in accordance with the Whistleblowing Policy.

In order to protect individuals and those accused of misdeeds or possible malpractice, the Headteacher will carry out initial enquiries in order to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the School have in mind is the public interest. Concerns of allegations which fall within the scope of specific procedures, (eg: child protection, harassment or discrimination), will be referred for consideration under those procedures.

Within **seven working days**, of a concern being raised, the Headteacher will contact you, (in a way which does not arouse suspicions in your workplace):

- acknowledging that the concern has been received
- indicating how we propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling you whether any initial enquiries have been made
- supplying you with information on staff support mechanisms
- advising you of your entitlement to seek advice and representation from your trade union representative
- telling you whether further investigations will take place and if not, why not.

Following these initial enquiries, the School will respond to your concerns as appropriate.

Some concerns may be resolved by action agreed with you without the need for formal investigation. If urgent action is required, this will be taken before any investigation is conducted. Allegations that have some foundation to them will be followed up by a full internal investigation. The result of this may result in one or more of the following:-

- no case to answer
- disciplinary action taken against the alleged individual
- referral to the police
- referral to Children's Services
- referral to the CADS team (Child Protection)

Unfounded allegations (no case to answer)

Unsubstantiated: An unsubstantiated allegation means that there is insufficient identifiable evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence. If an allegation is unsubstantiated or unfounded, (eg: no evidence or proper basis that supports the allegation being made, but the member of staff has made the allegation in good faith, no further action will be taken against them.

Malicious: The term malicious implies that an allegation, either wholly or in part, has been made with a deliberate intention to deceive or cause harm to the person subject to the allegation. For an allegation to be classified as malicious, it will be necessary to have evidence to prove intention to cause harm. Staff who make an allegation maliciously, frivolously or for personal gain, may face disciplinary action.

The School will minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the School will arrange for you to receive advice about procedure and other appropriate support.

The School accepts that you need to be assured that the matter has been properly addressed.

Subject to legal constraints and any confidentiality or other issues, the School will inform you of the outcome of any investigation.

How your concerns Can be Taken Further

This procedure is intended to provide you with an avenue within the School to raise concerns.

The School hopes that you will be satisfied with any action taken as a result of raising a concern. If you are not, and if you feel it is right to take the matter outside the School, the following are possible contact points:

- your trade union
- Ofsted
- Relevant professional bodies or regulatory organisations □ The police

If you do take the matter outside the School, you should be careful not to disclose confidential information, and ensure that you comply with the requirements of the Public Interest Disclosure Act 1998 so that you do not lose the protection of the Act against dismissal or other detriment.

Whistleblowing Form

Please complete this form and send it to the:
Headteacher: Ms Samantha Dangerfield
All Saints School, School Road, Lessingham, NR12 0DJ
Tel: 01692 582083 E.mail: head@allsaintslessingham.co.uk

Name:
Address or Contact Details:
Best time to contact you:

Person Assisting You (eg: relative, friend, union official)
Address:
Telephone:

Details of your concern (please continue on a separate sheet if necessary)
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Signature..... Date.....

Confidentiality
Thank you for completing this form. Your concern will be treated in confidence. Within 7 working days of receipt of your concern, the Headteacher will write to you as set out in the Whistleblowing Procedures.