

'WHISTLEBLOWING' POLICY

Introduction

Employees are often the first to realise that there may be something seriously wrong within the school. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues, or to the school. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be suspicion of malpractice.

The Governing Body is committed to the highest possible standards of openness, honesty and accountability. In line with this commitment, the Governing Body would wish to encourage employees and others with serious concerns about any aspect of the school's work, to come forward and voice those concerns. This includes any issues relating to gender and race, whereby a person may suspect discrimination is occurring. It is recognised that certain cases will have to proceed on a confidential basis. This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage and is intended to encourage and enable employees to raise serious concerns within the school, rather than overlooking a problem or 'blowing the whistle' outside.

Aims of this policy

This policy aims to:

- encourage employees to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues for employees to raise those concerns and receive feedback on any action taken
- ensure that employees receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

The Scope of this Policy

- There are existing procedures in place within the school to enable employees to lodge a grievance relating to their own employment. This whistle-blowing policy is intended to cover concerns that fall outside the scope of other procedures.
- An employee's concerns may, in this context, relate to the following matters, or a reasonable belief that one or more of the following has occurred or is likely to occur:
- actions or behaviour that makes someone feel uncomfortable in terms of known standards, their experience or the standards they believe the Governing Body subscribes to
- is against the policies and procedures adopted by the Governing Body
- falls below established standards of practice
- amounts to improper conduct

- conduct which is a criminal offence or a breach of the law

Examples of malpractice in this context may include concerns about possible corruption, financial irregularities, dangerous procedures risking health and safety, abuse of pupils, evasion of statutory responsibilities etc. The overriding concern should be that it would be in the public interest for malpractice to be corrected and, if appropriate, sanctions applied.

Safeguards against Harassment or Victimisation

The Governing Body is committed to good practice and high standards and wants to be supportive of employees.

The Governing Body recognises that the decision to report a concern may be a difficult one to make, not least because of fear of reprisal from those responsible for the malpractice. The Governing Body will not tolerate harassment or victimisation and will take action to protect employees when they raise a concern in good faith.

This does not mean that if employees are already subject to disciplinary or redundancy procedures, that those procedures will be halted as a result of whistle-blowing.

Confidentiality

The Governing Body will do its best to protect an employee's identity when he/she raises a concern and does not want his/her name to be disclosed.

It must be appreciated that the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence.

Anonymous allegations

This policy encourages an employee to put his/her name to an allegation. Concerns expressed anonymously are much less capable of being actioned effectively, but they will be considered at the discretion of the Governing Body.

In exercising this discretion, the factors to be taken into account would include:

- The seriousness of the issue raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

Untrue Allegations

If an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against him/her.

If an employee makes malicious or troublesome allegations, disciplinary action will be taken against him/her.

How to raise a concern

This will depend on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice.

Concerns should be raised with one of the following:

- The Head Teacher
- The Chair of Governors (if the concern is about the Head Teacher)

Concerns are better raised in writing. Employees are invited to set out the background and history of the concern, giving names, dates, and places where possible, and the reason why they are particularly concerned about the situation. However verbal approaches will be considered.

The earlier a concern is expressed, the easier it is to take action.

Although employees are not expected to prove beyond doubt the truth of the allegation, they will need to demonstrate that there are reasonable grounds for their concerns.

Advice and guidance on how matters of concern may be pursued can be obtained from:

- The Head Teacher or Chair of Governors
- Trade Union or Professional Association

Employees may invite their trade union or professional representative to raise the matter on their behalf.

How the Governing Body will respond

The action taken by the Governing Body will depend on the nature of the concern.

The matters raised may be investigated internally.

In order to protect individuals and the Governing Body, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example child protection, criminal or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within **ten working days** of a concern being received, the Head Teacher or Chair of Governors will write to the employee raising the concern:

- Acknowledging that the concern has been received

- Indicating how it is proposed to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Telling the employee whether any initial enquiries have been made
- Telling the employee whether further investigations will take place and, if not, why not.

The amount of contact between those considering the issues and the employee raising the concerns will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought.

When any meeting is arranged, the employee will have the right, if they so wish, to be accompanied by a representative of their trade union or professional association, or a friend who is not involved in the area of work to which the concern relates.

The Governing Body will take steps to minimise any difficulties which the employee may experience as a result of raising the concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, the Governing Body will advise about procedures.

The Responsible Officer

The Head Teacher has overall responsibility for the maintenance and operation of this policy. A record of concerns raised and the outcomes (but in a form which does not endanger the employee's confidentiality) will be maintained and will be reported, as necessary, to the Governing Body.

The Governing Body accepts that employees will need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, the employee will receive information about the outcomes of any investigation.

At all times, all parties involved will be treated with respect and maintain the highest standards of professional conduct. Misconduct arising from any investigations will result in separate action being taken on the conclusion of the initial investigation.

This child protection policy is supported by other school policies, which are intended to safeguard and promote the welfare of our children. These include: Anti-bullying, Attendance, Behaviour Management, Health and Safety, Sex Education, Drug Education, Safer Recruitment, and eSafety.