

Whistle-blowing policy

Rosary Catholic Primary School



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Contents

1. Aims	2
2. Legislation.....	2
3. Definition of whistle-blowing	2
4. Procedure for staff to raise a whistle-blowing concern.....	3
5. Trust procedure for responding to a whistle-blowing concern.....	3
6. Malicious or vexatious allegations	4
7. Escalating concerns beyond the trust.....	4
8. Approval.....	4

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. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. It is important to maintain a culture of openness and accountability in order to prevent such situations occurring or to address them when they do occur.

This procedure makes it clear that employees can report, in a confidential manner, their concerns without fear of victimization, subsequent discrimination or disadvantage. It is intended to encourage and enable serious concerns to be raised with the school, rather than overlooking a problem or 'blowing the whistle' outside. This procedure is only for the purpose of raising concerns about wrongdoing and is not a substitute or alternative for existing procedures such as the Grievance, Disciplinary Procedures for staff or the Complaints procedure.

The existence of this procedure does not prevent staff from raising concerns through trade unions if they so wish. The procedure is therefore not a route which employees can raise concerns about mismanagement which may arise from weak management rather than malpractice.

1. Aims

This policy aims 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
- Let all staff in the trust know how to raise concerns about potential wrongdoing in or by the trust
- Set clear procedures for how the trust will respond to such concerns
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- 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 does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the trust in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

2. Legislation

The requirement to have clear whistle-blowing procedures in place is set out in the [Academy Trust Handbook](#).

This policy has been written in line with the above document, as well as [government guidance on whistle-blowing](#). We also consider the [Public Interest Disclosure Act 1998](#).

3. Definition of whistle-blowing

Whistle-blowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupils' or staffs' health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

A whistle-blower is a person who raises a genuine concern in good faith relating to the above.

Not all concerns about the trust count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

If staff are uncertain whether something is within the scope of this policy, they should seek advice from the Headteacher and if the matter is in relation to an alleged wrongdoing by the Headteacher, then staff should seek the advice of the Chair of Governors or a named trustee.

Protect (formerly Public Concern at Work) has:

- [Further guidance](#) on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure
- A free and confidential [advice line](#)

4. Procedure for staff to raise a whistle-blowing concern

Whistle Blowing is fully supported and encouraged by the School and Trust. If possible, staff should first raise their concern with the Headteacher or the Chair of Governors. The person to be approached depends to an extent on the seriousness and sensitivity of the issue and who is thought to be involved.

Where the concern relates to a child protection matter, if you do not want to raise this through the School, you must consult the LA officer designated to lead on child protection or if that person is not available, the local authority's designated social services manager for child protection.

If the concern needs to have Police or other statutory authority involvement, the Whistle Blowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the Whistle Blowing process. If possible put your concern in writing for the avoidance of doubt. You should set out the background and history of the concern; giving names, dates and places where possible, and explaining the reason for your concerns. If you feel unable to put the matter in writing you can still raise your concern verbally and should telephone or arrange to meet the appropriate person. You can also ask your trade union or professional association to raise the matter on your behalf or to support you in raising the concern.

4.1 When to raise a concern

Staff should consider the examples in section 3 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or trust procedures, put people in danger or was an attempt to cover any such activity up.

4.2 Who to report to

Staff should report their concern to the Headteacher or Chair of Governors. If the concern is about the headteacher/other member of staff, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the chair of governors.

<mailto:chair@rosary.gloucs.sch.uk> p.kehoe@lwcet.co.uk

4.3 How to raise the concern

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

5. Trust procedure for responding to a whistle-blowing concern

5.1 Investigating the concern

When a concern is received by the headteacher or trustee - referred to from here as the 'recipient' - they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative
- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy)
- The school will carry out an initial assessment to determine the scope of any investigation. If there is a need for investigation:
 - In most cases a panel of trustees will investigate any issue. In rare cases the school may appoint an investigator or a team of external investigators with relevant experience and knowledge of the subject matter. In other cases, they may need to report the matter to the police
 - The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps

5.2 Outcome of the investigation

Once the investigation is completed – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the headteacher, trustees and other staff if necessary will review the relevant policies and procedures to prevent and minimize future occurrences of the same wrongdoing.

Whilst the school cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

6. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the trust will consider whether any disciplinary action is appropriate against the person making the allegation.

7. Escalating concerns beyond the trust

The trust encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included [here](#).

The Protect advice line, linked to in section 3 of this policy, can also help staff when deciding whether to raise the concern to an external party.

8. Approval

This policy will be reviewed every 2 years.

These procedures have been agreed by the board of trustees, who will approve them whenever reviewed.