



## WHISTLEBLOWING POLICY

### Purpose

The purpose of this policy and procedure is to provide a clear framework for dealing with issues relating to serious concerns employees may have about the school's work and to come forward and voice those concerns. This also applies to concerns about the activities of staff and external organisations in their dealings with the school. This policy:

- provides the basis on which employees can raise any such concerns they may have, and receive feedback on action taken;
- allows employees to take the matter further if they are dissatisfied with the school's response; and
- gives protection from reprisals or victimisation for 'whistleblowing' in good faith.

### Policy

There are existing procedures in place to enable employees to raise grievances about their own employment. This policy is intended to cover concerns that fall outside the scope of individual grievances. The concern(s) may be about something that:

- is unlawful;
- is against the school policies;
- amounts to improper conduct;
- seems likely to harm a member of the public or the environment; or
- represents a cover-up of the typical issues outlined above.

### In the public interest

Staff are protected in law if a disclosure is made in the public interest. In the public interest means that an individual acted outside of their own personal interest – they acted for more than personal gain. It is not necessary for the disclosure to be of interest to the entire public. The following considerations are often used as a test to establish whether something is within the scope of public interest:

- The number of people in the group whose interests the disclosure served
- The nature of the interests and the extent by which individuals are affected by the wrongdoing disclosed
- The nature of the wrongdoing disclosed
- The identity of the alleged wrongdoer

## Safeguards

### Harassment or victimisation

The school recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those responsible for the malpractice.

The school will not tolerate harassment or victimisation and will take all possible measures to protect employees who raise concerns in good faith.

### Confidentiality

The school will protect the identity of employees who raise concerns and do not want their name to be disclosed. It must be appreciated, however, that the investigation may reveal the source of the information, and statements made by the employees who raised the issue may be required as part of the evidence.

The school encourages employees to put their name to allegations made. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the school. In exercising this discretion, the factors to be taken account of will include:

- the seriousness of the issue raised;
- the credibility of the concern;
- the likelihood of confirming the allegation from attributable sources; and
- untrue allegations.

If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the employee. However, if employees make allegations that are malicious or vexatious, disciplinary action against them may be likely.

The purpose of this policy is to enable employees to raise concerns in confidence, without any fear of reprisal; therefore, it is imperative that employees:

- Do not take the concern outside the school, e.g. gossiping, sharing on social media
- Declare any personal interest in the matter, as the policy is designed to be used in the interest of the public and not for individual matters.

## Procedure

### Raising a concern

The earlier employees express their concern the easier it is to take action. As a first step, employees should normally raise concerns with the relevant senior leader for their department. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. Employees who feel that they cannot approach the senior leader for the given department, should approach either the:

- Headteacher
- Head of HR or the
- Trade Union or Professional Association (for advice).

Concerns are better raised in writing. This should set out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee is concerned

about the situation. Employees who do not feel able to put their concerns in writing can telephone or meet the appropriate person. Employees may invite their Trade Union or professional association to raise the matter in conjunction with them.

### **School's Response**

The action taken by the school will depend on the nature of the concern. The matters raised may for example:

- be investigated internally,
- be referred to the Police,
- be referred to the External Auditor, or
- form the subject of an independent inquiry,

In order to protect individuals and the school, 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, unlawful discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation.

Within five working days of a concern being received, the Head of HR, Headteacher or appropriate nominated person will write to the employee who raised the issue:

- acknowledging that the concern has been raised;
- indicating how it is proposed to deal with the matter;
- where possible, giving an estimate of how long it will take to provide a final response; and
- telling the employee whether further investigations will take place, and if not, why not.

The amount of contact between those considering the issue and the employee who has raised the issue 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 from the employee.

When any meeting is arranged with the employee, he or she will be given the right to be accompanied by a Trade Union or professional association representative, or a work colleague who is not involved in the area of work to which the concern relates.

The school accepts that employees need to be assured that the matter has been properly addressed. Therefore, subject to legal or contractual constraints, employees will receive information about the outcomes of any investigations.

### **Not satisfied with the action?**

The policy is intended to provide employees with an avenue to raise relevant concerns within the school. It is hoped that employees will be satisfied with the action taken as a result. If employees are not satisfied, and feel it is right to take the matter outside the school, the matter should be referred to one of the List of Prescribed People or Bodies for blowing the whistle as identified on the [www.gov.uk](http://www.gov.uk) website.

If employees do take the matter outside of the school, they must ensure that they do not disclose otherwise confidential information.

### **Review of procedure**

This procedure shall be subject to periodic review and may be changed from time to time.

The Governing Board approved this policy on date: 2<sup>nd</sup> July 2020

Signed: Richard Pelly, Chair of Governors

Signed: Joolz Scarlett, Headteacher