



# THE FEDERATION OF ST. EDMUND'S AND ST. PATRICK'S R.C. PRIMARY SCHOOLS

## WHISTLEBLOWING POLICY

<i>Date Policy Approved:</i>	<i>December 2020</i>
<i>Date Approved by Governors:</i>	<i>20<sup>th</sup> January 2021</i>
<i>Date of Next Review:</i>	<i>Spring 2022</i>

## WHISTLEBLOWING POLICY

“We come to a Roman Catholic School and so believe that Jesus was born, died and rose again for everyone. We aim to help, encourage and show God’s way to our families, making sure that our Catholic traditions and faith are kept alive. Each year at school, we learn a little bit more about our faith so that we can all grow to love God and each other more.”

At our schools, we seek at all times to be a witness to Jesus Christ. We remember this when putting our policies into practice.

### **INTRODUCTION**

This policy has been developed to ensure that all adults in the federation of St. Edmund’s & St. Patrick’s R.C. Primary Schools are working together to safeguard and promote the welfare of children and young people. We adhere to the DfE guidance ‘KCSIE, Section 4’, when dealing with allegations made against staff, including supply staff and volunteers. This policy has been reviewed, approved & ratified by the Full Governing Body on 20/01/2021 and then reviewed and discussed with staff. This policy was published on 22/01/2021 and will be reviewed annually.

### **BACKGROUND**

The schools are committed to the highest possible standards of openness, probity and accountability. In line with that commitment, staff, governors and others that we deal with, who have serious concerns about any aspect of the schools are encouraged to voice those concerns.

Staff and governors at the schools are often the first to realise that there may be something seriously wrong within the schools. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the schools. 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 a suspicion of malpractice.

This document makes it clear that concerns may be reported without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing Procedure is intended to encourage and enable staff and governors to raise serious concerns within the schools rather than overlooking a problem or raising the matter externally.

The procedure applies to all staff (including supply teachers and volunteers), governors and those contractors working for the schools. It also covers suppliers and those providing services to the schools.

The procedure supplements the Schools’ Complaints Procedures, Grievance Procedure, Single Equality Scheme and Safeguarding Policies.

### **AIMS AND SCOPE OF THIS PROCEDURE**

Whistleblowing may be defined as the disclosure, by staff and governors (former or current) and other individuals, of illegal or illegitimate practices.

This procedure aims to:

- Encourage staff and governors to feel confident in raising serious concerns and to question and act upon concerns about practices within the schools.
- Provide avenues for staff and governors to raise concerns and receive feedback on any action taken.
- Ensure that staff and governors receive a response to their concerns.
- Reassure staff and governors that they will be protected from possible reprisals or victimisation where they have a reasonable belief that they have made any disclosure in good faith.

There are existing procedures within the schools to enable individuals to lodge a grievance or a complaint. The Whistleblowing Procedure is intended to cover major concerns that fall outside the scope of other procedures. These include:

- Possible fraud and corruption
- The unauthorised use of school funds
- Failure to comply with Standing Orders and Financial Regulations
- Failure to comply with Codes of Practice
- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Health and Safety risks, including risks to pupils, the public as well as other colleagues
- Damage to the environment
- Other unethical conduct

### **ASSURANCES TO ALL STAFF**

Disclosures made in good faith by staff and governors etc. under this procedure will be treated confidentially, seriously and sensitively. Requests for anonymity, where made, will normally be met, but there may be circumstances such as prosecutions or disciplinary investigations where individuals may be asked to come forward as a witness.

The schools will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect staff and governors when they raise a concern in good faith.

Under the Public Interest Disclosure Act 1998, where an employee / governor has made a “qualifying disclosure” it will be unlawful to dismiss or subject the employee / governor to any other detriment as a result of this disclosure. A “qualifying disclosure” means any disclosure of information which, in the reasonable belief of the employee / governor making the disclosure, tends to show one or more of the following:

- A criminal offence has been committed, is being committed or is likely to be committed.
- A person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject.
- A miscarriage of justice has occurred, is occurring or is likely to occur.
- The health or safety of any individual has been, is being or is likely to be endangered.
- The environment has been, is being or is likely to be damaged.
- Information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

### **UNTRUE ALLEGATIONS**

If an allegation is made in good faith, but it is not substantiated, no disciplinary action will be taken against the person raising the concern. If, however, an allegation is made frivolously, maliciously or for personal gain, the schools may investigate this under the schools’ adopted Disciplinary Procedure.

## RESPONSIBILITIES

### ❖ Staff responsibilities

It is the responsibility of all members of staff, including supply staff and volunteers, to ensure that their own behaviour is appropriate to the school as a workplace and does not contribute to an environment in which malpractice or wrong doing is either ignored, condoned or encouraged. All staff should challenge such behaviour if it occurs and bring it to the attention of the Designated Safeguarding Lead or a member of the safeguarding team.

### ❖ Headteacher's responsibilities

The Executive Headteacher has a duty which they share with the senior leadership team to establish and maintain a positive and accountable working environment. In particular, the Executive Headteacher is responsible for:

- Communicating the policy to all staff in such a way as to promote its understanding and making it easily accessible.
- Managing staff in a professional and sensitive manner.
- Ensuring that the school environment has a culture where malpractice and/or wrong doing is unacceptable.
- Ensuring the policy is implemented effectively and efficiently at all levels throughout the schools.
- Taking all concerns raised seriously, ensuring the necessary action is taken to address the matter promptly and as sensitively and confidentially as possible.
- Ensuring that appropriate support is available to complainants during the investigation of their complaint; this may be via a colleague or trade union representative.
- Making it clear that malicious and vexatious allegations are serious matters and will not be tolerated.
- Ensuring that appropriate support is available to witnesses during the investigation of the complaint; this may be via a colleague or trade union representative.

### ❖ Governing Body Responsibilities

- Meet its legal duties and responsibilities and act at all times with the legal framework.
- Have an up-to-date and comprehensive Whistleblowing Policy.
- Receive reports from the Executive Headteacher on the application of the procedure.
- Agree that the Chair of Governors be the contact in the event that allegations/complaints are made against the Executive Headteacher.
- Agree that in the event of an allegation/complaint against the Chair, the Vice Chair will be the contact.
- In the event of any allegations made against the EHT or foundation governors, the safeguarding team at the Diocese of Salford will be informed in addition to following all other procedures.

## HOW TO RAISE A CONCERN

As a first step, concerns should normally be raised with the Executive Headteacher, the Designated Safeguarding Lead or a member of the Safeguarding team. If the concern relates to the Designated Safeguarding Lead, the matter should be raised with the Executive Headteacher. If the concern relates to the Executive Headteacher the matter should be raised with the Chair of Governors. If the concern relates to the Chair of Governors, it should be raised with the Vice Chair.

Concerns may be raised verbally or in writing. The earlier a concern is expressed then the easier it is to take action. Although individuals are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate that there are reasonable grounds for their concern.

Those raising concerns may invite their trade union, professional association representative or colleague to be present during any meetings or interviews in connection with the concerns they raise.

## HOW THE SCHOOL WILL RESPOND

The Executive Headteacher, Chair of Governors or the Local Authority representative will respond to concerns raised and it should be noted that testing out concerns is not the same as either accepting or rejecting them. Following an allegation, advice & next steps/further action will be sought from the Local Authority Designated Officer (LADO) and from One Education's H.R. department. Allegations will be referred to the Local Authority Designated Officer for investigation if they meet the threshold. If an allegation is raised about a foundation governor, advice & next steps/further action will be sought from the LADO in the same way. In addition, school will also make a referral to the safeguarding team at the Diocese of Salford.

In order to protect individuals and those accused of misdeeds or possible malpractice, 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 (e.g. Grievance or Child Protection Issues), will normally be referred for consideration under those procedures. In addition, issues initially raised within the Whistleblowing Procedure may also be dealt with within the Disciplinary Procedure.

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. Matters relating to alleged financial irregularities may be referred to the Council's Internal Audit.

Those raising a concern should be written to within ten working days:

- 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.
- Indicating whether any initial enquiries have been made.
- Advising on staff support mechanisms.
- Indicating whether further investigations will take place and, if not, why not.

Where any meeting is arranged, anyone involved with the concern may be accompanied by a trade union / professional association representative or a colleague.

## HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide an avenue within the schools to raise concerns. If the person raising the concern is dissatisfied and feel it is appropriate to take the matter outside the schools, the following are possible contact points:

- District Audit
- Trade Union
- Local Citizens Advice Bureau
- Relevant professional body or regulatory organisation
- The Police

If the matter is taken outside the schools, individuals should ensure that they do not disclose confidential information. Contact with the press about matters under this procedure should only be made via the City Council's News Centre.

**To be reviewed annually.**



The Federation of St Edmund's & St Patrick's  
Whistleblowing Record Sheet



Date of Concern/allegation	
Name of employee making complaint/allegation (unless anonymous)	
<u>Nature of concern/allegation raised</u>	
Date of the concern/allegation received by DSL:	
School nominated person responsible for undertaking investigation:	
People to be interviewed:	Date of interview:

Outcome of investigation