



CHEW STOKE CHURCH SCHOOL

Whistleblowing Policy

This policy is written with reference to the Christian Foundation of the school.

'Confident in Learning, Caring in Life'

Our vision has been inspired by Luke 10:27

This policy should be taken and used as part of Chew Stoke Church School's overall strategy and implemented within the context of our aims and values as a Church of England School.

Rationale

The school is required to have a whistle blowing policy to ensure that it meets the requirements of the Public Interest Disclosure Act 1998. It is intended that this policy will encourage and enable participants to raise serious concerns and provide a framework for the management of the issues raised.

This procedure is not a substitute for normal line management processes but an addition to them. Staff should always first consider using normal line management for raising concerns. 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 and discipline procedure for staff or the complaints procedure.

What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity;
- child protection and/or safeguarding concerns; * See note
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal or professional obligation or regulatory requirements;
- financial fraud or mismanagement;
- negligence;

- breach of the school's internal policies and procedures;
- conduct likely to damage the school's reputation;
- unauthorised disclosure of confidential information;
- the deliberate concealment of any of the above matters.

This list is not exhaustive.

***If you have a safeguarding concern you should follow the procedure set out in the school's child protection and safeguarding policy and procedures which is available on the school's website.**

A 'whistleblower' is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the school's activities (a whistleblowing concern) you should report it under this policy.

This policy should not be used for complaints relating to a member of staff's own personal circumstances, such as the way you have been treated at work. In those cases you should follow the grievance policy and procedure.

If a member of staff is 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 or headteacher then staff should seek the advice of the chair of governors.

Aims

The whistle blowing policy is intended to:

- encourage employees and others who have serious concerns about any aspect of the school's work to voice them;
- recognise that certain cases have to proceed on a confidential basis;
- enable participation without fear of reprisals, victimisation or discrimination; and
- enable employees, and others, to raise serious concerns within the school rather than overlook a problem.

Roles and Responsibilities

The governing body and management of the school has overall responsibility for ensuring the whistleblowing policy is managed appropriately in accordance with agreed procedure.

The headteacher, along with line managers, are responsible for making sure employees are aware of the existence of this policy. The headteacher is responsible for maintaining a record of concerns raised and outcomes in a form which does not endanger confidentiality.

Employees are responsible for making themselves familiar with and complying with this policy.

Policy

The school recognises that staff, and others associated with the school, are often the first to realise that there may be something seriously wrong. However, they may not express their concerns because they feel this may be disloyal to their colleagues or the

school. They may also fear harassment or victimisation.

This school is committed to the highest possible standards of openness, probity and accountability. In line with this commitment the school expects employees, and others that are involved with the school, who have serious concerns to come forward and voice those concerns. Whistle blowing, enabled by this policy, provides a structured way for this important information to come to light. It also aims to reassure those raising concerns that they will be protected from possible reprisals or victimisation if they have reasonable belief and have made any disclosures in good faith.

The policy applies to all employees, governors, contractors, agencies and partners. The governors of the school encourage participants to use this policy and the procedure it describes to voice their concerns if and when they become aware of activity which they believe to be dangerous, illegal, unethical, or in any other way seriously detrimental to the children or the school.

Confidentiality

The school encourages participants to put their name to any matter raised under this policy, as it often helps the investigation if those in authority are able to clarify information with the person who initiates the procedure, and formal statements do help to build a case and add credibility to allegations. However, the school will respect the confidentiality of anyone raising a concern and will do everything in its power to protect their identity. If the person raising the concern wishes to do so anonymously, the school will respect the wishes of the initiator, and will only attempt to contact them if the investigation is being hampered by lack of evidence.

Safeguards against harassment

The school recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for malpractice. The school will not tolerate harassment or victimisation and will take action to protect anyone raising a concern in good faith.

If an employee is the subject of disciplinary or redundancy procedures when they raise their concerns, then those procedures will not automatically be affected. The information provided would be assessed in the light of the new circumstances and a decision taken as to how, if at all, those proceedings should be affected.

Untrue allegations

When an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the person voicing the concern. If, however, a deliberately malicious or vexatious allegation is deemed to have been made, disciplinary action may be taken.

Raising a Concern

School staff should initially raise concerns with their line manager.

Governors should raise concerns with the chair of governors. The chair of governors should raise concerns with the Education and Skills Funding Agency (ESFA).

Outside agencies and partners should raise concerns with their appropriate senior manager or director.

It is obvious that if a person wishing to raise a concern believes that an individual with whom they should raise a concern may be implicated in the case, that they will be reluctant to approach that person. Therefore, although the guidelines should normally be followed, if the person wishing to raise a concern does not wish to approach the person indicated they should consider raising their concern with the headteacher, chair of governors or any other governor.

It may be that the nature of the concern would suggest another body as most appropriate, for example if it were to involve the school's leaders. For suggestions of who to contact please see the further action section.

Concerns may be raised verbally or in writing. It would be helpful for the information provided to include the background and history of the concern and the reason why the individual is particularly concerned about the situation.

It is not necessary for a whistleblower to produce conclusive evidence to support his/her disclosure. Suspicion may be valid grounds for raising a concern. However, the whistleblower should normally have direct information about, or knowledge of, the malpractice alleged, or know where such evidence is located. The whistleblower's concern should be based on more than hearsay, gossip, or the reports of others. The disclosure should usually include specific examples of unacceptable behaviour.

Disclosures should not be made to the press, radio, television or other media. The recommended internal reporting channels should be used. Workers have certain rights to report malpractice to specified external agencies, e.g. a worker who suspects that a criminal act has been committed may inform the police. However, it is expected that whistleblowers make disclosures following the reporting lines set out above.

The earlier concerns are expressed the easier it is to take action.

Although the complainant is not expected to prove the truth of the allegation they should be able to demonstrate reasonable grounds for concern.

How the school will respond

The response to a whistleblower's disclosure will depend on a number of factors such as the seriousness and complexity of the allegations made.

Allegations may be:

- investigated within the school;
- referred to the police;
- referred to another independent form of enquiry;
- or any combination of the above.

The school may wish to consider using external independent investigators, though this will in part depend on the complexity of the case.

Disclosures will be subject to initial enquiries in order to decide whether a full investigation is necessary and, if so, what form it should take, who should conduct it, and whether any reference to another agency is necessary or desirable. Some concerns may be resolved through agreed action without the need for further investigation.

If the whistleblower's concern falls within the scope of an alternative procedure, s/he will be advised to pursue it through that procedure.

A whistleblower who presents his/her disclosures in writing will, wherever possible within

ten working days, receive:

- an acknowledgement that the concern has been raised;
- an indication of how the school proposes to deal with the matter;
- an estimate of how long it will take to provide a final response;
- an indication of any initial enquiries that have been made; and
- an indication of whether further investigations will take place and, if not, why not.

The whistleblower will be informed of the outcome of any investigation insofar as this is compatible with any duty of confidentiality on the employer. The extent of the information given to whistleblowers will depend upon a number of factors, e.g. whether the investigation is referred to the police and leads to criminal prosecution. Where an investigation is protracted, it is recommended that the school keeps the whistleblower updated on the progress of the investigation, as silence may lead them to become suspicious of inaction, and make a disclosure externally.

Where a whistleblower is unwilling to identify him/herself, any person receiving a complaint about malpractice should log the incident and seek advice from this schools' HR, to consider whether any investigation should be undertaken.

Protection and support for 'whistleblowers'

It is understandable that 'whistleblowers' are sometimes worried about possible repercussions. The School aims to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

Staff must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment would include dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that he or she has suffered any such treatment, he or she should inform the headteacher immediately. If the matter is not remedied the member of staff should raise it formally using the school's grievance policy and procedure.

Staff must not threaten or retaliate against 'whistleblowers' in any way. Anyone involved in such conduct will be subject to disciplinary action.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the headteacher in the first instance.

Safeguarding

If a member of staff suspects that there is a serious safeguarding issue that they feel that the designated safeguarding lead (DSL) is not taking seriously or that they believe there is a serious safeguarding issue involving the headteacher or the DSL they should in the first instance contact the chair of governors.

Further Action

This policy is intended as an avenue for individuals to raise concerns within the school. The objective will be to investigate reported concerns to the satisfaction of all parties. However, if it becomes clear that the matter cannot satisfactorily be dealt with internally, any investigation underway should stop immediately, and the matter should be referred to the appropriate external agency. If the person raising the concern is not satisfied with the internal investigation, they are encouraged to refer the matter to the appropriate external agency.

This policy is intended to deal with matters within the school's area of influence. It might be that concerns are raised that are beyond the scope of the policy, or the outcome is not to the satisfaction of the person raising the concern. In these cases, the person raising the concern may wish to take the matter up with an external agency, such as:

- the Education and Skills Funding Agency (0370 000 2288);
- **LADO** Local Authority Designated Officer for managing allegations or safeguarding concerns against staff (01225 396810);
- the Diocesan Board of Education (01749 670777);
- the Health and Safety Executive (0300 003 1647);
- The Environment Agency (03708 506 506);
- the Member of Parliament (at time of writing Jacob Rees-Mogg (0207 219 7118));
- the Police (101).

Monitoring, Evaluation and Review

The governors' personnel committee shall monitor and evaluate concerns raised under this policy annually and review this policy every three years.

This policy was approved by the governors in September 2022.

Review September 2024.

Related policies: Chew Stoke Church School Child Protection and Safeguarding Policy and Procedures