



## Whistleblowing Policy and Procedure

This policy is available on our school website and is available on request from the school office. We also inform parents and carers about this policy when their children join our school and through our school newsletter.

The policy is provided to all staff (including temporary staff and volunteers) at induction alongside our Safeguarding and Child Protection Policy and Staff Code of Conduct. In addition, all staff are provided with Part One of the statutory guidance '[Keeping Children Safe in Education](#)', DfE (2020).

This policy will be reviewed in full by the Governing Body on an annual basis. This policy was last reviewed and agreed by the Governing Body in February 2021. It is due for review in February 2022.

Signature:

Headteacher:

Date:

Signature:

Chair of Governors:

Date:

## 1. Introduction

- 1.1 As a person working for Reedham Primary School and Nursery you may be the first to realise that there could be something seriously wrong within the school. However, you may feel that speaking up would be disloyal to colleagues or to the school. You 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.
- 1.2 Reedham Primary School and Nursery is committed to the highest possible standards of openness, integrity and accountability. We expect employees, and others involved in the work of the school, who have serious concerns about any aspect of the school's work to come forward and voice those concerns.
- 1.3 The purpose of this policy and procedure is to make it clear that you can raise concerns in confidence without fear of victimisation, subsequent discrimination or disadvantage. You are encouraged to raise serious concerns in the first instance **within** the school rather than overlooking a problem or 'blowing the whistle' outside, and we would rather that you raised the matter when it is just a concern rather than waiting for proof.
- 1.4 This policy and procedure applies to all employees and those contractors working for the Reedham Primary School and Nursery on school premises, for example, agency staff, builders and drivers. It also covers suppliers, those providing services under a contract with the school and organisations working in partnership with the school.
- 1.5 This policy and procedure has been prepared in accordance with the Public Interest Disclosure Act 1998 in accordance with Government guidance on the issue. The policy has been formally adopted by the Governing Body and publicised widely to all those who may wish to use it.
- 1.6 Reedham Primary School and Nursery recognises that employees may wish to seek advice and be represented by their trade union representative when raising a concern and acknowledges and endorses the role trade union representatives play in this area. Trade union representatives acting in accordance with the policy and procedure will not suffer detriment in their employment with the school.

## 2. Aim and scope

- 2.1 This policy aims to:
  - encourage you to feel confident in raising serious concerns and to question and act upon concerns;
  - provide avenues for you to raise those concerns and receive feedback on any action taken;
  - ensure that you receive a response to concerns and that you are aware of how to pursue them if you are not satisfied;
  - reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have raised any concern in good faith.

2.2 There are existing procedures in place to enable employees to lodge grievances relating to their employment. The Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures, including the school's complaints procedure. This policy therefore includes concerns about:-

- conduct which is an offence or a breach of law; [L] [SEP]
- harassment of others;\* [L] [SEP]
- sex, race or disability discrimination against others;\* [L] [SEP]
- disclosures related to miscarriages of justice; [L] [SEP]
- health and safety risks, including risks to the public as well as other [L] [SEP] employees; [L] [SEP]
- danger or damage to the environment; [L] [SEP]
- the unauthorised use of public funds; [L] [SEP]
- possible fraud and corruption; [L] [SEP]
- sexual or physical abuse of children; [L] [SEP]
- breaches of the school's policies; [L] [SEP]
- anything that makes you feel uncomfortable in terms of known standards, [L] [SEP] your experience or the standards you believe the school subscribes to; or [L] [SEP]
- other unethical or improper conduct (not otherwise included in this list) [L] [SEP]
- concealing information about any of these matters [L] [SEP]

\* Complaints relating to harassment of, or discrimination against an employee will be dealt with under the specific procedures relating to those matters.

2.3 It should be emphasised that this policy is intended to assist individuals who have discovered malpractice or serious wrongdoing, provided they make the disclosure in accordance with the policy. It is not designed to question financial or business decisions taken by the school nor may it be used to reconsider any matters that have already been addressed under the harassment, complaint or disciplinary procedures. Individuals who make disclosures outside the arrangements set out here will not be protected under this policy and may not be protected under the Act.

2.4 All employees are expected to adhere to this policy and procedure in line with their obligations under equality legislation. The Headteacher (or other appropriate manager) must ensure that all reasonable adjustments or supportive measures are considered to allow equality of access and opportunity regardless of age, gender, ethnicity, sexual orientation, disability, faith or religion, gender identity, pregnancy or marital status.

### **3. The school's commitment**

- 3.1 Reedham Primary School and Nursery is committed to good practice and high standards and wants to be supportive of employees.
- 3.2 The school recognises that the decision to report a concern can be a difficult one to make. If you raise your concern based on reasonable belief and in good faith, you have nothing to fear because you will be doing your duty to your employer and the public and The Public Interest Disclosure Act 1998 will protect you from dismissal or other detriment. If your concern is not confirmed by the investigation, no action will be taken against you. If however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.
- 3.3 The school will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when they raise a concern in good faith, even if you are genuinely mistaken in your concerns. Any harassment or victimisation of a whistleblower may result in disciplinary action against the person responsible for the harassment or victimisation.
- 3.4 Any investigations into allegations arising from whistleblowing will not influence or be influenced by any other personnel procedures to which an employee may be subject.

### **4. Confidentiality**

- 4.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. If the school is not able to resolve your concern without revealing your identity (e.g. because your evidence may be needed in Court), it will be discussed with you beforehand, whenever possible.

### **5. Anonymous allegations**

- 5.1 This policy encourages you to put your name to your concern whenever possible.
- 5.2 Concerns expressed anonymously are much less powerful but may be considered by the school taking into account:
- the seriousness of the issues raised;
  - the credibility of the concern; and
  - the likelihood of confirming the allegation from attributable sources.
- 5.3 The Headteacher or Chair of Governors will decide in each case whether a complaint made anonymously should be investigated.

## **6. How to raise a concern**

- 6.1 If you are unsure whether or how to raise a concern you can contact the independent voluntary organisation Protect on 020 3117 2520 or the NCC Whistleblowing Hotline on 01603 224433 for guidance.
- 6.2 The earlier you express concerns the easier it is to take action.
- 6.3 You are not expected to provide proof but you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.
- 6.4 It is hoped that in most cases you will feel able to raise any concerns internally with the Headteacher, speaking to them in person or putting the matter in writing if you prefer. You may be able to agree a way of resolving a concern quickly and effectively. In some cases, the matter may be referred to the Governing Body via the Chair of Governors or a nominated Governor who has responsibility for whistleblowing.
- 6.5 If a concern against the Headteacher or a Governor is received, then this will be treated in the same way as any other concern. It will receive the same serious consideration. Such a concern would normally be raised with the Chair of Governors, who will decide how it will be dealt with.
- 6.6 If the concern is against the Chair of Governors, it should be taken to the Headteacher who will consider, with the Governor responsible for whistleblowing (where appropriate), how it should be dealt with. In these cases it would be advisable for guidance to be sought from the Local Authority.

## **7. Investigation and Outcome**

- 7.1 Upon receipt of a concern, the Head teacher (or Chair of Governors or nominated Governor) will arrange a meeting with you as soon as practicable to discuss your concern. We will make initial enquiries to decide whether an investigation is appropriate and, if so, what form it should take. This will include an assessment of whether the concern should be investigated under any of the school's other policies and procedures.
- 7.2 We will record sufficient details to enable the matter to be thoroughly investigated. As a minimum, we will record your name but also indicate whether you wish your identity to remain confidential and the nature of the concern. In some cases, it will not be possible to maintain confidentiality and the Headteacher (or Chair of Governors or nominated Governor) should explain this to you. In such instances, you will have the choice of either withdrawing or agreeing to your identity becoming known to enable the concern to be effectively dealt with.
- 7.3 Any initial meeting under this policy can be arranged away from your workplace if you wish, and a union or professional association representative or a colleague may accompany you in support. The colleague or trade union representative must respect the confidentiality of the disclosure and any subsequent investigation.
- 7.4 Following the initial meeting, the Headteacher (or Chair of Governors or nominated Governor) will acknowledge the allegation in writing within ten days confirming:
  - How the school proposes to deal with the matter

- How long we estimate that it will take to provide a final response
- Whether any initial enquiries have been made
- Whistleblower support mechanisms and whether further investigations will take place and if not, why not.

- 7.5 In some cases, the Headteacher (or Chair of Governors or nominated Governor) may consider it appropriate to refer the concern to an external agency for consideration in advance of any internal investigation. This may be appropriate where concerns about child safeguarding, potential criminal activity or unsafe working practices are raised. Where this is deemed appropriate, no further internal investigation should be undertaken until clearance is given.
- 7.6 In most cases, a panel of three Governors will investigate any issue. In rare cases, the school may appoint an investigator or team of investigators, including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the school to minimise the risk of future wrongdoing.
- 7.7 The Headteacher (or Chair of Governors or nominated Governor) will aim to keep you informed of the progress of the investigation and likely timescale. Sometimes the need for confidentiality may mean that you cannot be given specific details of the investigation or any disciplinary action taken as a result. You are required to treat any information about the investigation as strictly confidential.
- 7.8 If it is concluded that you have made false allegations maliciously, in bad faith or with a view to personal gain, you will be subject to disciplinary action under the school's disciplinary policy and procedure.
- 7.9 Whilst it cannot always be guaranteed that the outcome will be in line with your expectation, concerns will be dealt with fairly and in an appropriate way. If you are not happy with the way your concern has been handled, you can raise it with the Chair of Governors.
- 7.10 There is no right of appeal against any decisions taken under this policy and procedure. You or the Headteacher will have the right to refer any particular case to the nominated Governor for Whistleblowing for review.
- 7.11 You will be informed, where appropriate, of the final outcome. In some circumstances, e.g. where disciplinary action has resulted from the concern, it may not be appropriate to provide specific details due to the confidentiality and sensitivity of such matters.

## **8 External disclosures**

- 8.1 The aim of this policy and procedure is to provide an internal mechanism for reporting, investigating and remedying any wrong doing in the workplace. In most cases, you should not find it necessary to alert anyone externally.
- 8.2 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. You are strongly encouraged to seek advice before reporting a concern to anyone external. Protect has a list of prescribed regulators for reporting certain types of concern.

8.3 Whistleblowing concerns usually relate to the conduct of school employees but they may sometimes relate to the actions of a third party, such as a service provider. The law allows employees to raise a concern in good faith with a third party where the employee reasonably believes it relates mainly to the third party's actions or something that is the third party's responsibility. Employees are, however, encouraged to report such concerns internally first as outlined in 6 above.

## **9 Protection and support for whistleblowers**

9.1 It is understandable that you may be worried about possible repercussions. You are encouraged to be open and will be supported, where genuine concerns are raised in good faith under this policy and procedure, even if you turn out to be mistaken.

9.2 You 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 you believe that you have suffered any such treatment, you should inform the Headteacher immediately. If the matter is not remedied you should raise it formally using the school's grievance procedure.

9.3 No employee should threaten or retaliate against a whistleblower in any way. Any individual involved in such conduct will be subjected to disciplinary action.

9.4 All employees are responsible for the success of this policy and procedure and should ensure that they use it to disclose any suspected danger or wrong doing. Employees are invited to comment on this policy and procedure and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Headteacher in the first instance.

9.5 The school will do what it can to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the school will arrange for you to receive advice about the procedure and other appropriate support.

## **10 Child Safeguarding**

10.1 If you suspect that there is a serious safeguarding issue that you feel is not being taken seriously by the Headteacher, or if there is a serious safeguarding issue involving the Headteacher, you should contact the Local Authority Designated Officer (LADO) in line with the specific guidelines in the school's safeguarding policy.

## **11 Responsibility for the policy**

11.1 The responsibility for the effectiveness and efficiency of this policy and procedure rests with the Governing Body. The Governing Body will be advised about and maintain records of, the concerns raised and the outcomes in a form which does not endanger confidentiality and will report if necessary to the Local Authority. Training and advice will be provided at all levels to those charged with dealing with and investigating whistleblowing concerns.

