



ST PAUL with ST LUKE
CHURCH OF ENGLAND PRIMARY SCHOOL
 Leopold Street, Bow, London E3 4LA

Whistleblowing Policy Version Control 2021-23

To be reviewed Feb 24

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| 3 | No changes | May 2019 <i>Ben Roach</i> |
| 4 | Added sections to update policy and include more information | June 2021 <i>BR BENJAMIN ROACH</i> |
| 5 | Changed safeguarding governor to Ben Roach. Changed clerk to Tracy Lee. Changed Designated governor. Added Head of School/ Executive Head Replaced HR consultant with Terri Patterson (LDDBS) Added time frames paragraph | February 2023 <i>BR BENJAMIN ROACH</i> |

Whistle Blowing Policy

Our Vision

Jesus said: 'Love one another as I have loved you'. John 15:12

As we are loved, so we shall love.

We nurture all in our welcoming community.

We go above and beyond to help each other to flourish.

Introduction

At St Paul with St Luke we are committed to the highest possible standards of openness, probity and accountability and we encourage staff and others working with us to raise any concerns about any aspect of our work to come forward and voice those concerns. In some instances, concerns may need to be expressed on a confidential basis.

Staff must acknowledge their individual responsibility to bring matters of concern to the attention of senior leadership and/or relevant agencies. A member of staff who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure

The Governing Body is mindful of its obligations under the Equality Act 2010 and this policy will be applied fairly and consistently to all staff employed at the school as well as those carrying out work for St Paul with St Luke School, for example, Governing Body members, volunteers, agency workers, contractors or consultants.

It is recognised that whistleblowing may engender feelings of disloyalty to colleagues or that staff may fear harassment or victimisation. These feelings, however natural, must never result in the behaviour that is causing concern, continuing.

- Safeguarding Against Harassment or Victimisation
- It is recognised that the decision to report a concern can be a difficult one to make. St Paul with St Luke school will take a zero tolerance approach to any act of harassment or victimisation (including informal pressures) resulting from a member of staff raising a concern in good faith, and will handle any such allegations in accordance with the Anti-Bullying Policy.

A member of staff making an allegation within the scope of this policy will be supported by the School when raising a concern, providing that he/she:

- believes the concern to be true
- is not acting maliciously or making false allegations
- is not seeking any personal gain

Other Complaints Procedures

This procedure is separate from the school Complaints Procedures and other statutory reporting procedures. Child Protection issues should be reported according to the specific guidelines laid out in that policy.

Any investigation into allegations of potential malpractice under this procedure will not influence or be influenced by any disciplinary or redundancy procedures that already affects an individual.

Aims of Policy

- To encourage staff to report **any wrongdoing that they reasonably believe has taken place in the workplace** as soon as possible.
- To provide staff with guidance as to how to raise those concerns;
- 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 a mistake.

What is whistleblowing?

If workers have information in relation to a wrong doing in the workplace and bring this to the attention of the employer or a prescribed/relevant organisation, then they are protected in certain circumstances under the Public Interest Disclosure Act 1998. This is commonly referred to as 'blowing the whistle'.

Whistle blowing is more formally known as 'making a disclosure in the public interest' and may include:

- criminal activity;
- child protection and/or safeguarding concerns; * see note at the end of this policy
- 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 including its Code of Conduct (Protocol Policy);
- conduct likely to damage the School's reputation;
- unauthorised disclosure of confidential information;

- the deliberate concealment of any of the above matters.

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 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 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 or Deputy Headteacher then staff should seek the advice of the Designated Governor.

Don't think what if I'm wrong - think what if I'm right

Reasons for whistleblowing:

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour **in the public interest**.
- To prevent the problem worsening or widening.
- To protect or reduce risks to others.
- To prevent becoming implicated yourself.

What stops people from whistleblowing:

- Starting a chain of events which spirals.
- Disrupting the work or project.
- Fear of getting it wrong.
- Fear of repercussions or damaging careers.
- Fear of not being believed.

Raising a whistleblowing concern

Concerns may be raised verbally or in writing, but the earlier the concern is expressed the easier it is to take any required action. Members of staff who wish to make a written report are encouraged to include the following information:

- The background and history of the concern, giving relevant dates and providing as much supporting evidence as possible;

- The reason(s) why they are particularly concerned about the situation. Where a concern is raised verbally, the person hearing it must ensure that a written account of it is made to assist with any subsequent investigation.

St Paul with St Luke leadership will take all concerns raised within the scope of this policy seriously and identify the appropriate level of investigation. Advice and guidance will be obtained as necessary from our HR consultant Teri Patterson (LDBS).

The school hopes that in many cases staff will be able to raise any concerns with their Line Manager. They may be able to agree a way of resolving a concern quickly and effectively. In some cases they may refer the matter to the head of school, Executive Head or designated governor

Investigation

Once preliminary enquiries have established the need for an investigation, an appropriate person will be appointed to conduct the investigation. The person appointed to undertake the investigation is responsible for establishing the facts of the matter, as far as it is reasonably possible to do so, and assessing whether the concern has foundation and can be resolved internally. Other people may need to be interviewed to provide further information and/or clarification concerning the issue(s) raised.

Written records of all interviews will be kept throughout the investigation together with details of any action taken. The investigation will result in a written report and recommendations for corrective action, which will be passed to the Head of School/ Executive Head or the co- chairs of the Governing Body, as appropriate to the concerns under consideration, to determine whether formal action shall be taken.

The member of staff raising the concern will, subject to legal constraints, be advised in writing of the outcome of the investigation and, where appropriate, what action is being taken. This may, for example, include changes to working practices to ensure that a similar situation does not occur again

The member of staff raising the concern may be required to attend additional meetings in order to provide further information. St Paul with St Luke School may appoint an independent investigator. The investigator(s) may make recommendations for change to enable the school to minimise the risk of future wrongdoing.

St Paul with St Luke School will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the school from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

If St Paul with St Luke School concludes that a 'whistleblower' has made false allegations maliciously, in bad faith or with a view to personal gain, the 'whistleblower' will be subject to disciplinary action under the school's Disciplinary Policy and Procedure.

There are no rights of appeal against any decisions taken under this procedure. However, an employee or the Head of School or Executive Headteacher will have the right to refer any particular case to the Designated Governor for review.

Time Frames

The whole process, from investigation to conclusion, should take no longer than six weeks.

If the six week time frame cannot be met, this needs to be discussed and agreed.

Communication

Within ten working days of a concern being raised, the person who is dealing with the concern will respond in writing either to the employee directly. The response will:

- Acknowledge receipt of the concern
- Indicate how the School proposes to deal with the matter
- Give an estimate of how long it will take to provide a final response (this should be no longer than six weeks)
- Advise whether any initial enquiries have been made
- Supply information on any staff support mechanisms
- Advise whether further investigation or action is required, and if not, why not.

Confidentiality

St Paul with St Luke School hopes that staff will feel able to voice whistleblowing concerns openly under this policy. However, if a member of staff wants to raise his or her concern confidentially, St Paul with St Luke School will endeavour to keep his or her identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of staff's concern to know the whistleblower's identity, the school will discuss this with the member of staff first.

St Paul with St Luke School does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if St Paul with St Luke School cannot obtain further information. It is also more difficult to establish whether any allegations are credible and have been made in good faith. 'whistleblowers' who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality. In such instances the employee will have the choice of either withdrawing or agreeing to his/her identity becoming known to enable the concern to be effectively dealt with. Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

If an individual misuses the policy and procedure e.g. by making malicious or repeated unsubstantiated complaints against colleagues this could give rise to action under the school's Disciplinary Procedure. If the Head of School or Executive Headteacher knows or has a suspicion that an employee comes into this category then she will take advice from the Designated Governor who will help to determine what action should be taken.

At St Paul with St Luke the Designated Governors are Rita Khatun and Ben Roach.

Email the clerk to the governors who will receive any whistleblowing concerns. They will contact the chairs of governors who will investigate the whistleblowing concern or, if appropriate, the chairs will identify another governor to investigate the whistleblowing concern.

traceymlee@icloud.com

If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Public Concern at Work (Independent whistle blowing charity)

Helpline: 020 7404 6609 E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk

NSPCC Whistleblowing Helpline: <https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/>

Concerns against the Head of School or Executive Headteacher

In the instance that a staff member has a concern against the Head of School or the Executive Headteacher, the matter should be raised with the Designated Governors (see above) through the clerk to the governors.

Concerns against Governors

If a concern against a Governor is received then this will be treated in the same way as any other concern. It will receive the same serious consideration. The concern will be raised by the Head of school or Executive Headteacher with the Chairs of Governors who will decide how it should be dealt with.

If the concern is against the Chairs of Governors then clearly this process cannot be followed. In such circumstances, the concern will be taken directly to the Head of School or Executive Headteacher who will decide in consultation with the Governor with responsibility for Whistleblowing matters how it should be dealt with. In normal circumstances such a concern would be referred to the Department for Education for action.

Self reporting

There may be occasions where a member of staff has a personal difficulty, perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with the Head of School or Executive Headteacher so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most instances, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

Further advice, support and contact details Protection and support for 'whistleblowers'

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your Line Manager, Head of School or Executive Headteacher, HR Dept or Trade Union.

Safeguarding

If a member of staff suspects that there is a serious safeguarding issue that they feel that the Head of School or Executive Headteacher is not taking seriously or that they believe there is a serious safeguarding issue involving the Head of school or Executive Headteacher, they should in the first instance contact the Designated Safeguarding Governor, Ben Roach.