

# Whistleblowing Policy

## Federation of St Mary's and St Thomas of Canterbury Catholic Primary School

The policies of the Governors of the Federation of St Mary's and St Thomas of Canterbury Catholic Primary Schools are intended to ensure that the children rejoice in their dignity as children of God and as a unique creation of God's love. The policies are written so as to support the most effective teaching and learning that we can provide. It is our intention that every aspect of school life will support this fundamental aim.



<b>Approved by:</b>	Rod Hodgson, Co-chair of governors	<b>Date:</b> 15 <sup>th</sup> May 2023
<b>Last reviewed on:</b>	January 2020	
<b>Next review due by:</b>	May 2026	

## Revision record

Revision No.	Date Issued	Prepared By	Approved By	Comments
1	March 2020	SBM	FGB	New policy
2	March 2022	SBM	FGB	Reviewed and updated with guidance from H&S consultants
3	May 2023	SBM	FGB	Reviewed and updated

### 1. Introduction

The staff and governors of The Federation of St Mary's and St Thomas of Canterbury Catholic Primary Schools seek to run all aspects of school business and activity with full regard for high standards of conduct and integrity.

The school is committed to creating a climate of trust, openness and accountability so that a person who has a genuine concern or suspicion can raise the matter with full confidence that it will be appropriately considered and resolved.

The provisions of this policy apply to matters of suspected fraud and impropriety and not matters of more general grievance which would be dealt with under the school's Grievance Procedure.

### 2. Legislative framework

This policy has due regard to the statutory legislation including, but not limited to the following:

- The Public Interest Disclosure Act 1998 (PIDA)
- The Public Concern at Work Guidelines 1997 (PCAW)

This legal framework provides protection for employees who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'.

A qualifying disclosure is one made in the public interest by the employee who has a reasonable belief that:

- a criminal offence
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- an act of corruption e.g. receiving any gift or advantage, thus failing to comply with the Bribery Act 2010
- an act allowing private interests to override the interests of the school
- a breach of any legal obligation; or concealment of any of the above is being, has been, or is likely to be, committed.

It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be committed - a reasonable belief is sufficient.

The employee has no responsibility for investigating the matter; it is the school's responsibility to ensure that an investigation takes place.

Where the concerns relate to the safeguarding of children or young people, the school's Designated Senior Leader for Safeguarding and Child Protection should be notified. In the event that concerns regarding the child(ren) the member of staff should be able to re-address their concerns with the DSL. If, however following this process the member of staff remains concerned, it is their responsibility to seek further guidance from: Hants Direct Professionals' line: 0300 555 1386 or 24 Hour Number: 0300 555 1386.

This policy applies to all school staff, including full and part time, casual, temporary, substitute staff, volunteers, contractors and to individuals undertaking work experience in the school.

### **3. Procedure**

In the event that members of school staff, parents, governors or the school community at large become aware of activities which give cause for concern, the school has established the following whistleblowing procedure, which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory resolution.

Throughout this policy, the term 'whistle-blower' denotes the person who discloses confidential information regarding an employee, which relates to some danger, fraud or other illegal or unethical conduct which is connected with the workplace.

Under this policy any of the following can raise a concern:

- Employees of the school
- Employees of contractors working for the school
- Employees of suppliers
- Voluntary workers working with the school
- A trainee, such as a student teacher

#### **3.1 What action should the whistle-blower take?**

Any issue should be raised internally by writing to the Executive Headteacher, and should:

- give information regarding the background and history of the concern,
- names, dates and places where possible,
- express the reasons for the concern.

Individuals are encouraged to let themselves be known, either in person or through their union representative, as concerns expressed anonymously are difficult to investigate.

Anyone feeling unsure can seek confidential advice at any time from Protect (formerly known as Public Concern at Work), a registered charity which advises on serious malpractice in the workplace. For more information, visit their website: <https://protect-advice.org.uk/>

#### **3.2 How will the matter be progressed?**

Once the Executive Headteacher has been informed of the concern in writing, it is then the responsibility of the school to investigate the matter further.

The Executive Headteacher will write to the individual within 10 working days to confirm that the concern has been received as well as indicate proposal for dealing with the matter, where appropriate.

The initial stage will take the form of an interview with the whistle-blower, and then an assessment of further action will be discussed.

The initial stage may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of school staff, legal or personnel advisors, the police, the Department for Education, or the Local Authority, and an investigating officer may be appointed.

If the investigating officer needs to talk to the whistle-blower, then the whistle-blower may be accompanied by a trade union representative, professional association representative, colleague or friend. The accompanying person will provide support only and may not become involved in the proceedings.

Records will be kept of work undertaken and actions taken throughout the investigation.

The investigating officer, possibly in conjunction with the governing body, will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third-party referral such as the police.

If an investigation is carried out, the whistle-blower will be informed of the investigation, and any action that is proposed will be subject to third party rights; where action is not taken, the individual will be given an explanation.

If no action is taken and/or the individual is not satisfied with the way the matter has been handled, they can make a formal complaint under the Federation of St Mary's and St Thomas of Canterbury Catholic Primary School's Complaints Policy. If the concern involves the Executive Headteacher, the whistle-blower should contact the Chair of Governors through the Clerk to Governors via email [clerk@stmaryspri.co.uk](mailto:clerk@stmaryspri.co.uk).

Within the Isle of Wight Local Authority, the whistle-blower can contact the following people:

- The Council's Monitoring Officer - 01983 821000 ext. 6342
- The Council's Section 151 Officer – contact point Assistant Director Finance 01983 821000 ext. 6381
- Director of Corporate Services – 01983 821000 ext. 6238

### **3.3 Respecting confidentiality**

Wherever possible the school will seek to respect the confidentiality and anonymity of the whistle-blower and will as far as possible protect him/her from reprisals.

The school will not tolerate any attempt to victimise or harass the whistle-blower or attempts to prevent concerns being raised and will take appropriate action in order to protect staff who raise a concern in good faith.

Any member of staff who victimises or harasses another member of staff as a result of their having raised a concern in accordance with this policy will be dealt with under the Federation of St Mary's and St Thomas of Canterbury Catholic Primary School's Catholic Primary School's Staff Disciplinary Procedures.

Staff are protected in law by the PIDA (see above) which gives employees protection from detriment and dismissal where they have made a protected disclosure, providing the legal requirements of the Act are satisfied.

To ensure individuals can raise concerns without fear of reprisals it is imperative that whistle-blowers promptly declare any personal interest in the matter and do not discuss their concern out of school.

#### **4. Raising unfounded malicious concerns**

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously.

If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence under the school's Staff Disciplinary Procedures.

#### **5. Conclusion**

Existing good practice within the school in terms of its systems of internal control, both financial and non-financial, and the external regulatory environment in which the school operates ensure that cases of suspected fraud or impropriety rarely occur.

This whistle-blowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and if necessary, outside the management structure of the school.

This document is a public commitment that concerns are taken seriously and will be actioned.