



WHISTLEBLOWING

Rationale

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Employment Rights Act 1996
- Public Interest Disclosure Act 1998
- Public Interest Disclosure (Compensation) Order 1999
- Public Interest Disclosure (Prescribed Persons) Order 1999
- Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2003
- Enterprise and Regulatory Reform Act 2013

This school is committed to the highest possible standards of openness, probity, integrity and accountability. In line with this commitment the school expects all members of the school community who have serious concerns about any aspect of the school's work to come forward and voice those concerns.

We believe whistle blowing is the reporting of suspected wrongdoing in the workplace which is regarded as making a disclosure in the public interest. We actively encourage all school personnel and visitors to school to report any serious concerns they may have about any aspect of the school such as:

- Damage to the school environment
- A criminal offence that has taken place or is about to take place
- The covering up of a wrong doing
- The conduct of its personnel or others acting on behalf of the school.
- Failure to comply with a legal obligation
- Child protection issues
- Disclosure related to miscarriages of justice.
- Health and safety risks (including risks to the public as well as others of the school community) if reported and not acted upon.
- Damage to the environment
- Unauthorised use of public funds
- Possible fraud or corruption

We believe school staff, supply staff, and students on work experience are protected by law if they make a disclosure on any of the above, that is if they think what they are reporting is true, that they think they are telling the right person and if they believe their disclosure is in the public interest. If the law is broken when a disclosure is made

We understand that those wishing to make a disclosure may do so to the Headteacher, to a member of the local authority, to a prescribed person such as Her Majesty's Chief Inspector of Education, to a legal adviser or to a Member of Parliament.

We believe that where the concern relates to an individual's own employment the school's Grievance Policy must be used. However, if the concern relates to something which is against the school's policies, falls below standards of practice or amounts to improper conduct then the procedures in this policy must be used.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

This policy and procedure applies to

- all employees who are employed by, or under, the school Governing Body;
- all members of the Governing Body
- other individuals involved in providing services to the school and
- partner organisations.

Aims

- To encourage all school staff to report any serious concerns about any aspect of the school or the conduct of its staff or others acting on behalf of the school.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

Role of the Governing Body

The Governing Body:

- has delegated powers and responsibilities to the Headteacher to ensure all school staff and school volunteers are aware of and comply with this policy;
- will provide support for a member of staff who has raised a concern;
- will provide support for a member of staff against whom allegations have been made;
- must keep both parties informed of all progress during any investigation;
- will take no action against a member of staff if, after investigation, their concern has not been confirmed;
- will take disciplinary action if a concern is raised frivolously, maliciously or for personal gain;
- has responsibility for ensuring that the school complies with all equalities legislation;
- has responsibility for ensuring funding is in place to support this policy;
- has responsibility for ensuring this policy and all policies are maintained and updated regularly;
- has responsibility for ensuring all policies are made available to parents;
- has nominated a link governor with responsibility for the effective implementation, monitoring and evaluation of this policy.

Role of the Headteacher

The Headteacher will:

- ensure all school staff and volunteers are aware of and comply with this policy;
- encourage all school staff to raise any concerns they have regarding actual or potential breaches of duty or a failure by the school;
- provide support for a member of staff who has raised a concern;
- provide support for a member of staff against whom allegations have been made;
- keep both parties informed of all progress during any investigation;
- work closely with the link governor;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy by speaking with school staff, parents and governors;
- annually report to the Governing Body on the success and development of this policy.

Role of School Staff

School staff have a duty to speak out against and report any:

- criminal offence that has been committed, is being committed or is about to be committed;
- person who has failed, is failing or is about to fail compliance with any legal obligation that they are subject to;
- miscarriage of justice that has occurred, is occurring or is likely to occur;
- health and safety issue that has endangered , is endangering or is likely to endanger any person;
- damage to the school environment that has been committed, is being committed or is about to be committed

When raising a concern individuals should provide as much information as possible including:

- The background and history of the concern (including relevant dates, times, names, places, etc)
- The nature of the concern
- The reason why they are particularly concerned about the situation.
- The names of any colleagues/employees who are considered to be either directly involved or who can help with further information.
- Any other background information eg lists of documents, etc.

All concerns should be raised with the Headteacher in the first instance. If the concerns involve the Headteacher or a Governor, other than the Chair of Governors, they should raise the concerns with the Chair of Governors. If the concern involves the Chair of Governors they should raise this with the Deputy Chair of Governors. Concerns should, ideally, be raised in writing. All anonymous concerns will be treated seriously, however without contact details it may be difficult to clarify information, gain additional information or carry out an investigation.

School staff, who speak out against and report any of the above, will receive support from the Head of HR and the Governing Body as appropriate. The Head of HR and Governing Body will also give support to any member of the school staff against whom allegations have been made.

However, school staff must be aware that if they are treated unfairly after blowing the whistle they should consider taking their case to an employment tribunal.

School staff have a duty to the school not to disclose confidential information. However, in accordance with the provisions of the Public Interest Disclosure Act 1998 this does not prevent an employee from seeking independent advice nor discussing their concern with the charity Public Concern at Work.

School staff should consider reporting any concerns to the Headteacher; Chair of Governors; the local authority; their union or association; Ofsted; the Children's Commissioner; the NSPCC; or the whistle blowing charity Public Concern at Work. But initially they should raise the concern internally before using a public agency.

School staff must be aware that all raised concerns are investigated and every effort is made to ensure confidentiality for all parties. When a concern has been raised the action taken by the school will depend on the nature of the concern raised and will normally be investigated internally by the school. However in appropriate cases the concerns may be referred to the local authority, a regulatory body or the Police in criminal matters. In order to protect the whistle blower, the school and those accused, initial enquiries will be made to decide whether an investigation is appropriate, and if so, what form it should take, and who should conduct it. Concerns which fall within the scope of other procedures will normally be referred for consideration under those procedures.

Untrue Allegations

If an employee raises a concern in good faith which they believe is in the public interest, but is not confirmed by the investigation, then no action will be taken against them.

If an employee raises a concern that is not in the public interest, which, after investigation, turns out to be untrue, then the matter may be considered under the schools Disciplinary Procedure and disciplinary action may be taken.

Training

All school staff:

- have equal chances of training, career development and promotion
- receive training on this policy on induction which specifically covers:
 - The school's whistle blowing procedures
 - Confidentiality
 - Safeguarding and Child Protection
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the school website
- school intranet
- meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops
- school events
- meetings with school staff
- communications with home such as Head's Weekly Newsletters
- Headteacher's Annual Report

Linked Policies

- Safeguarding and Child Protection
- Dealing with Allegations against the Headteacher, Teaching Staff, Support Staff, School Volunteers and Contractors

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010. As it is fair, it does not prioritise or disadvantage any student and it helps to promote equality at this school.

Monitoring the effectiveness of the policy

Review of Procedure

This procedure shall be subject to periodic review and may be changed from time to time.

Management of policy

The Governors and Headteacher have overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcomes.

Headteacher:		Date:	
Chair of Governing Body:		Date:	