



Whistleblowing Procedure For School Employees

Governing Body with Responsibility	Full Governing Board	The logo of Princess Frederica CE VA Primary School, identical to the one in the header, positioned to the right of the table.
Reviewed/Revised	September 2020	
Date of Next Review	September 2021	
Agreed by Governors	14.10.2020	
Additional Notes	This policy must be reviewed on an annual basis.	

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Covid-19 Pandemic

All areas of the following policy continue to apply regardless of the school status. If referring an issue on site is not possible, email contact should be used with email accounts of senior leaders checked on a daily basis. HT is always the first contact, then Deputy HT, then Assistant HT. See point 11 if the concern can't be logged with the HT for reasons outlined within the point.

1. INTRODUCTION

Employees are often the first to realise that there is something seriously wrong but may not feel confident to express their concerns. The Governing Board 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 the malpractice.

The Governing Board is committed to the highest standards of openness, probity and accountability and strongly encourages employees to come forward and raise concerns about any aspect of the school's work.

This school expects the highest standards from all of its employees, Governors and its contractors and will ensure concerns can be raised without fear of reprisals or victimisation internally within the school, rather than overlooking a problem or raising the matter externally. There is both a legal and moral duty to speak up about something which is improper, unethical or inappropriate in order for the school to investigate and remedy the wrongdoing.

The Governing Board has put in place a whistleblowing policy to encourage and enable employees to raise serious concerns. The Governing Board will not tolerate harassment and victimisation and will take action to protect employees when a concern is reported in good faith.

This is a staff whistleblowing policy and as such this policy applies to all employees and governors. Other individuals performing functions in relation to the organisation, such as agency workers and contractors, will also have access to it.

2. AIMS OF THE POLICY

The aims of the policy are to:

- encourage all improper, unethical or inappropriate behaviour to be identified and challenged at all levels in the organisation;
- ensure all employees feel supported in speaking up in confidence and reporting matters they suspect may involve anything improper, unethical or inappropriate; provide a clear procedure for reporting concerns and receive feedback on any action taken;
- manage all disclosures in a timely, consistent and professional manner;
- provide assurance that all disclosures will be taken seriously, treated in confidence and managed without fear of retaliation;
- re-assure employees that they will be protected from possible reprisals or victimisation if they have reasonable belief that they have made a disclosure that is in the public interest.

3. SCOPE

Whistleblowing disclosures should only concern matters which are in the public interest and are made in good faith.



This policy is intended to cover concerns that fall outside the scope of other policies, although the school reserves the right to determine which policy is appropriate. The following are outside the scope of this policy:

- Matters that concern day-to-day issues relating to an employee's employment including terms and conditions, issues relating to harassment and bullying, or a complaint about another employee which would normally be referred to the employee's line manager in the first instance, or if necessary can be pursued using the school's grievance policy;
- Matters that would normally be dealt with by the school/Council's collective bargaining arrangements with its recognised trade unions;
- Concerns relating to child protection issues should be reported to the school's Designated Senior Lead for Child Protection (DSL).
- Allegations concerning fraud, corruption or financial irregularity. Complaints from the public that relate to standard of service delivered by the school or its contractors, which should be reported through the school's complaints procedure.

The Policy is designed to deal with concerns that relate to specific issues that are in the public interest. Only genuine concerns should be reported. Whistleblowing means a disclosure of information where the individual making the disclosure reasonably believes that one or more of the following matters is happening, took place in the past, or is likely to happen in the future. This is not an exhaustive list of examples:

- a criminal offence; a failure to comply with a legal obligation;
- a miscarriage of justice;
- a danger to the health and safety of an individual;
- damage to the environment;
- a failure to comply with the school's policies and procedures;
- any conduct which may damage the school's reputation;
- deliberate concealment of information relating to any of the above.

4. REPORTING IN GOOD FAITH

If a disclosure is made in good faith, but is not confirmed by investigation, no action will be taken against an employee.

Employees should not make reports which they do not reasonably believe to be true, which are malicious, or which they know are outside the scope of public interest.

Disciplinary action may be taken against an employee who makes a disclosure frivolously, maliciously, for personal gain or knowingly in bad faith.

Any investigation into disclosures of potential malpractice under this policy will not influence or be influenced by any disciplinary or redundancy procedures that already affect an individual. Disciplinary, capability, grievance or supporting attendance procedures may not be halted as a result of an individual whistleblowing.

5. CONFIDENTIALITY AND SUPPORT

The Governing Board recognises that employees may want to raise concerns in confidence and will make every effort not to reveal the identity of employee who has raised a concern/disclosed information. However, in some



circumstances it may not be possible to maintain confidentiality; if, for example, an employee is required to come forward as a witness.

The school will take steps to minimise any difficulties employees may experience as a result of raising a concern. If an employee is required to give evidence in criminal or disciplinary proceedings the school will arrange for advice and support to be given on the proceedings.

The school will not tolerate harassment and victimisation and will take steps to protect individuals who raise concerns in good faith. It is acknowledged that employees need to be assured that concerns will be properly addressed and subject to legal constraints the school will provide information about the outcome of any investigation.

6. ANONYMOUS DISCLOSURES

Employees should put their name to the concerns they are raising. Anonymous concerns may carry much less weight as they are considerably more difficult to investigate. All complaints made anonymously will be investigated wherever possible.

7. PROTECTION

The Employment Rights Act 1996 provides individuals with protection from victimisation, dismissal or any other detriment provided they have a reasonable belief that what they have reported is true and the report is made in good faith.

The Governing Board views harassment or victimisation very seriously and undertakes to ensure that no one who reports any concern under this policy in good faith will be subject to any detriment for coming forward, regardless of whether or not the concern is ultimately substantiated.

If an employee believes that they are being victimised or subjected to detriment by any person as a result of reporting a concern or assisting with any investigation under this policy, they should inform the headteacher or the Chair of Governors and appropriate action will be taken to protect them from any reprisal. If any employee is aware of the victimisation or harassment of a whistle-blower, they have a responsibility to bring it to the attention of the headteacher or Chair of Governors.

The school will treat any victimisation or harassment of an employee who has made a report in good faith under this policy as a disciplinary offence.

8. ADVICE

If you wish to receive advice from a relevant professional before making a report under this policy, you should contact any of the following:

- the Chief Executive of LDBS
- the Operational Director Safeguarding, Partnerships & Strategy, Brent Council
- Your trade union

9. REPORTING A CONCERN



It is advisable to report a concern as early as possible. A significant delay in reporting the matter may make the subsequent investigation difficult to pursue. In the first instance concerns should be reported to the headteacher except when they are involved in the concern (see section 11). If the headteacher is not available, then the concern should be reported to the deputy headteacher, and then then the assistant headteacher. An employee reporting a concern will not be expected to prove a disclosure, but will be asked to demonstrate that there are sufficient grounds for the concern and it is made in good faith and the public interest.

If the employee believes:

the concern to be extremely serious or sensitive;

- the concern involves a senior leader or the headteacher;
- the concern has been raised with the headteacher previously, but has not been dealt with properly;
- there is reasonable belief that relevant information may be concealed or destroyed if the matter is raised directly with a senior leader or the headteacher;
- they may be victimised if the matter is raised directly with the headteacher;

the concern should be reported directly to the school's Chair of Governors.

Before raising a concern an employee may wish to take advice on the matter from any of those listed in section 8 above, or discuss any concerns with a trade union representative or work colleague. Your trade union representative may then assist you in reporting your concerns. If more than one employee has the same concerns, the disclosure can be in the form of a joint report.

Concerns can be raised verbally or in writing. Where possible, the following information should be included:

- an outline of the disclosure, and how it represents information in the public interest;
- names of those believed to be involved in the disclosed offence;
- names of any person who has relevant information;
- details of how the employee became aware of the suspected activities;
- which of the school's policies has been breached;
- names of any person with whom the disclosure may have been shared;
- the employee's name and contact details.

10. HOW THE SCHOOL WILL RESPOND

The headteacher/deputy headteacher/assistant headteacher/Chair of Governors will arrange an investigation into the concern(s) raised, either by investigating the matter themselves or delegating the task to an appropriate individual.

The person who carried out the investigation will then report to the headteacher/Chair of Governors who will take the necessary action, including reporting the matter to any appropriate department or regulatory agency. If disciplinary action is required this will be taken forward by the headteacher/Chair of Governors in consultation with their HR provider.

11. REPORTING A CONCERN



Concerns that ultimately can't be logged with the headteacher due to them being in conflict or being subject of the concern, should go directly to the Chair of Governors. At this point, the nominated governor will liaise with the LDBS (as the school HR provider) for guidance on next steps including supporting all members involved.

12. CONTACT

Wherever possible, employees will be kept informed of the progress of the investigation and outcome, although it may not be possible to disclose full details of the progress or the outcome of the investigation if provision of details would be inconsistent with obligations of confidentiality in relation to others.

13. EXTERNAL REPORTING

A report made externally, i.e. to the police, media or Member of Parliament, will only be protected under the Employment Rights Act 1996 if the following apply:

- the employee reasonably believed the concern/disclosure to be substantially true;
- the disclosure has not been made for personal gain;
- the disclosure has already been raised within the school, unless the employee had reasonable grounds to believe they would be victimised or that there may be a cover-up or that the matter is exceptionally serious.

14. FURTHER INFORMATION AND ADVICE

If an employee requires any further advice or guidance on any aspect of this policy they should contact LDBS Human Resources in the first instance.

Human Resources
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