



Our Lady of the Assumption Catholic Primary School



Approved Whistleblowing Policy

Approved by Full Governing Body: 12th February 2020

Signed  Chair of Governors.

To be reviewed: February 2023, or dependent on any legislative changes

Safeguarding Statement:

'Our Lady of the Assumption Catholic Primary School is committed to safeguarding and promoting the safety and welfare of all children and expects all staff, parents, governors and volunteers to share this commitment.'

Our Vision

As a Catholic school that puts Christ at the centre, we are committed to encouraging everyone to 'Be the Best They Can Be'

Values and Ethos

We believe that everyone is made in the image and likeness of God and we value the equality of all, reject discrimination of any kind, and welcome the diversity of different cultures.

1. Introduction

- 1.1 The School takes malpractice seriously and encourages people to speak out if they are aware of any actual or potential malpractice within the organisation. The Governors are committed to creating an open culture, where concerns can be raised as part of a proper professional dialogue without fear of reprisal.
- 1.2 This policy exists to help individuals raise concerns over any wrongdoing within the school relating to unlawful conduct, financial malpractice, or dangers to the children, staff and parents. It does not apply where employees are aggrieved about their own personal position, normal grievance procedures will apply in these situations. The Policy is primarily for concerns where the interests of others or of the organisation itself are at risk.
- 1.3 The policy is intended to encourage and enable individuals to raise serious concerns within the school rather than overlook a problem. The policy also outlines how individuals may raise concerns outside the School.
- 1.4 The policy complements other specific procedures and policies developed to support children and enhance the professional conduct and behaviour of all staff.
- 1.5 If you have any concerns you should contact the Head Teacher or Chair of Governors. If this is inappropriate for any reason then :-

- For fraud and financial irregularity – the Audit Manager (02476 834035)
- All other matters – The Council’s Monitoring Officer (024 7683 1587)

1.6 All staff may use this policy provision. This includes permanent and temporary employees. It also covers agency workers.

Contractors working for the school may also use this policy to make the school aware of issues which they perceive would be covered under this policy.

1.7 This policy applies to all staff working at the school.

1.8 Matters reported directly to the Council by a school based employee will be referred to the Director of Education, Libraries and Adult Learning before further action is taken.

1.9 Details of how to raise concerns under this policy are given in section 4.

2. Policy Statement

2.1 The school is committed to the highest possible standards of openness, probity, and accountability and will take action to address improper practices. As part of this commitment the school is determined to follow the best practice on the exercise of proper professional accountability and:

- provide opportunities for individuals to raise concerns outside of their line management structure;
- not allow individuals who come forward with concerns raised in good faith to be discriminated against or victimised;
- ensure concerns are treated in confidence and make every effort not to reveal the identity of the individual expressing the concern;
- investigate all concerns, ensure individuals get a response to their concerns, and take all possible action against wrongdoers;
- take action against anyone found to have made a false allegation maliciously.

3. When does this policy apply?

3.1 The Public Interest Disclosure Act 1998 sets out the categories where the statutory protection applies. These are:

- a criminal offence;
- a failure to comply with a statutory or legal duty (e.g. Race relations Act Data protection Act etc.);
- improper unauthorised use of public funds or other funds;
- a miscarriage of justice;
- sexual or physical abuse of any employee or service recipient;;
- discrimination of an employee or service recipient on the grounds of sex, age, race, disability, religion, belief or sexual orientation;
- endangering of an individual’s health and safety;
- damage to the environment;
- deliberate concealment of any of the above.

In addition, the School will provide similar protection to any employee who reports under this policy breaches in the School’s code of conduct.

The overriding concern should be that it would be in the best interest for malpractice to be corrected and, if appropriate, sanctions applied.

The policy is subject to any relevant legislation and specifically will operate within the requirements of the Data Protection Act.

4 How to raise a concern.

4.1 The Public Interest Disclosure Act encourages individuals to raise their concerns with their employer. Within the school the key contacts to raise concerns with are:

- For fraud and financial irregularity – the Audit Manager (02476 834035)
- All other matters – The Council’s Monitoring Officer (024 7683 1587)

In addition, employees can make initial contact with any of the following;

- Head Teacher
- Chair of governors
- Trade Union representative.

Individuals can also contact the officer designated to handle whistleblowing concerns at the Archdiocese of Birmingham:

Email: Gerry.dryden@rc-birmingham.org

Tel: 0121 230 6224

Mobile: 074 9643 9043

Any of the above will provide advice on how to take the issue forward and will ensure that the relevant key contact is notified that the concern exists.

If the concern is connected with the direct line manager then, if appropriate the issue should be taken to the Local Authority.

4.2 Whilst individuals can raise concerns verbally, it is often better to put them in writing, but any method of communication is acceptable. The information needed is the background and history of the concern giving names, dates, places where possible, and the reason for the particular concern. To allow any points to be clarified, individuals will need to provide details of how they can be contacted.

4.3 The earlier concerns are raised; the easier it will be to take action.

4.4 Advice and guidance on how matters of concern may be pursued can be obtained from the following:

- Head Teacher;
- human resources;
- internal audit services
- trade union/professional association;
- Public Concern at Work. This is an independent Charity that operates a confidential helpline to provide free impartial advice. (020 7404 6609 further details – www.pcaaw.co.uk)

4.5 Trade Union representatives may support an employee raising an issue of concern throughout the process.

5. How will we respond.

- 5.1 Any concern raised either in writing or verbally will be acknowledged in writing within three working days. This will;
- Acknowledgement that the concern has been received;
 - Summarise the details of the concern;
 - Identify who is dealing with the matter.
- 5.2 The action taken will depend on the nature of the concern. The matters raised may be:
- investigated internally by an appropriately skilled experienced employee in the area concerned;
 - referred to the police;
 - referred to Health and safety Executive;
 - referred to the External auditor or Ombudsman;
 - referred to the national standards board;
 - the subject of an independent enquiry.
- 5.3 In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what format should take. Concerns or allegations that fall within the scope of specific procedures will normally be referred for consideration under those procedures.
- 5.4 Some concerns may be resolved by agreed action and no further investigation taken.
- 5.5 The amount of contact between officers investigating the issues and the employee reporting will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be obtained from the individual reporting the concern in a discreet manner.
- 5.6 When any meeting is arranged, individuals will have the right to be accompanied by a trade union representative. The meeting can be arranged away from the normal place of work if requested.
- 5.7 The Council will take steps to minimise any difficulties which individuals may experience as a result of raising a concern and provide any appropriate support. For instance, if the individual is required to give evidence in disciplinary or criminal proceedings, the Council will provide advice about the procedure.
- 5.8 The council accepts that individuals raising a concern need to be assured that the matter has been properly addressed and will notify them when the policy process has been completed. This will normally be within 20 working days of a concern being raised. In addition, details will be given on what action has been taken to correct working practices, which have been found to be at fault by the investigation.
- 5.9 If an allegation is received anonymously, it may restrict what the school is able to do. There is an expectation that the person reporting a matter will disclose their identity, as this will facilitate the investigation. The school will endeavour to maintain the person's anonymity wherever possible.

5.10 The following factors will be considered when establishing the scope and depth of any investigation:

- the seriousness of the issue raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from recognised sources and information available.

6. Safeguarding

6.1 The school 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 alleged malpractice.

The school will not tolerate harassment or victimisation and will take action to protect individuals wherever possible provided that:

- the concerns were raised in good faith;
- the information provided is believed to be true, even if the allegation is not subsequently confirmed by the investigation;
- allegations are not made for personal gain.

6.2 The investigator will carry out a risk assessment to determine safeguards as necessary

6.3 Every effort will be made to ensure confidentiality as far as is reasonably practical.

Individuals should be aware that action taken as a result of their report may lead to their identity being revealed, either by inference or as a result of disciplinary or legal proceedings. If this should happen, the school will not tolerate any individual being victimised in any way.

6.4 Support will be provided to help overcome any difficulties experienced as a result of raising a concern. During the investigation, any meetings with the individual raising the concern can be arranged away from their place of work and they will have the opportunity to be accompanied by a representative of their choice, if they wish. If the individual is required to present evidence as a witness, arrangements will be made to provide them with support through the process. Access to counselling and support is available to all employees.

6.5 Every effort will be made to keep the individual reporting the matter of concern informed. However the information provided will be determined by the nature of the investigation and whilst safeguarding the rights of other individuals involved in the process.

7 Malicious Allegations

7.1 The council will take action against any individual found to have made a malicious or vexatious allegation. For an employee, this could result in disciplinary proceedings.

8 Raising concerns outside of the school.

8.1 This policy is intended to provide employees with an avenue to raise concerns **within** the school. If an employee instead takes the matter outside the school, they should ensure that they do not disclose confidential information. Employees should also check that they do not contravene the Public Interest Disclosure Act as this does not provide blanket protection and only allows individuals to disclose matters to their employer or specified bodies. Any breach of the Act could lead to disciplinary action.

8.2 If an individual wishes to raise concerns outside the council or feels that the council has not handled their concerns appropriately, the following contact points may be relevant:

- The ombudsman – 0845 602 1983 (www.lgo.org.uk)
- Relevant professional bodies.
- Trade unions/ Professional associations.
- Your solicitor
- The police
- The Health and Safety Executive.

9 Monitoring.

9.1 Monitoring of this policy and procedure will be undertaken by the Council's Standards Committee in accordance with the Constitution.