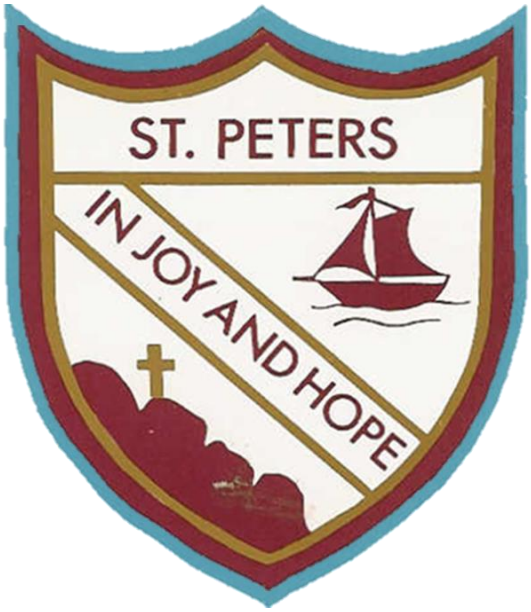
St Peter's Catholic Primary School



Whistleblowing Policy and Procedure

Agreed by St Peter's Governing Body _____

Signed by Chair _____

Whistleblowing Policy and Procedure

Authority Guidelines on Staffing Procedures for Community, Voluntary Controlled, Community Special Schools and Early Years Centres (and those adopted by Governing Bodies of other maintained or non-maintained schools)

Updated: September 2020

Table of contents

1. Introduction 4
2. Legal Context 4
3. Policy Statement 4
    3.1. Aims of the policy 4
    3.2. Who does the whistleblowing policy apply to? 5
    3.3. What is the purpose of the Whistleblowing Policy? 5
    3.4. Is the person using the correct policy? 5
4. Roles and Responsibilities 5
    4.1. Governing Body and Headteacher 5
    4.2. Headteacher or Chair of Governors 6
    4.3. Whistleblower (the person raising the concern) 6
    4.4. Trade unions and Professional Associations (or Work Colleague) 6
    4.5. Local Authority 7
5. Protection provided to the Whistleblowers 7
    5.1. Victimisation 7
    5.2. Confidentiality 7
6. Whistleblowing Procedure 8
    6.1. Steps to follow when raising a concern internally 8
    6.2. Step one 8
    6.3. Step two 8
    6.4. Step three 8
    6.5. How the School will respond to a whistleblowing concern 8
7. Additional support for employees 9
8. External Disclosures and Independent Advice 9
9. Commitment to Equality 10
10. Other Related Policies 10

Appendices

1. Confidential Reporting Form (CRF1)
2. Designated Officer contact details

1. Introduction

All of us at one time or another has a concern about what is happening at work. Usually these are easily resolved. However, when the concern feels serious because it is about a possible fraud, danger or malpractice that might affect others or the school itself, it can be difficult to know what to do.

2. Legal Context

Public Interest Disclosure Act (1998) (PIDA)

This policy is drafted in line with the provisions of the Public Interest Disclosure Act (1998) (PIDA). The Act protects you from detrimental treatment or victimization by your employer if, in the public interest, you disclose a concern regarding any wrongdoing.

Examples of concerns that you may raise include:

- data protection issues
- fraud or theft
- breaches of the Council's policies and procedures
- conflicts of interest
- safeguarding issues
- health and safety

3. Policy Statement

The Governing Body is committed to running the school in the best way possible. This policy and procedure seek to reassure *people that it is safe and acceptable to speak up and to enable them to raise any concern that they may have at an early stage and in the right way. Rather than wait for proof, the Governing Body would prefer *people to raise their concern as soon as you feel able to do so.

This policy has been consulted with relevant Trade Unions and Professional Associations representing school staff.

3.1. Aims of the policy

The Whistleblowing Policy aims to:

A. Encourage a *person to feel confident in raising concerns and to question concerns that you may have about perceived wrong doings.

B. Provide a clear process in which you can communicate your concerns.

C. Ensure that they receive a response to your concerns and are aware of how you can pursue the same if you are not satisfied with the school's response.

D. Reassure you that if your disclosure is genuine, you will be protected from harassment, reprisals, or victimisation by anyone working for or with the Council.

3.2. Who does the whistleblowing policy apply to?

All those ****who work in a school in a paid or unpaid capacity***, whether:

- employed (full-time or part-time)
- subcontracted to deliver a service to a school
- working as a consultant
- employed through an agency
- volunteer

If you have a whistleblowing concern, you are encouraged to notify us of the same as soon as is practicably possible.

3.3. What is the purpose of the Whistleblowing Policy?

The Whistleblowing Policy is primarily for concerns where there is a risk that is in the public interest. This includes risks to the wider public, customers, staff or to the Council itself.

*A person may be worried about raising a concern and may think it best to keep it to themselves, perhaps feeling it's none of their business or that it's only a suspicion, and may feel that raising the matter would be disloyal to colleagues or the senior leadership of the school.

*A person may decide to say something but find that they have spoken to the wrong person or raised the issue in the incorrect way and are not sure what to do next.

3.4. Is the person using the correct policy?

If something is troubling a person and they think that the school should know about or investigate it, please use this policy. If, however, they wish to make a complaint about their employment or how they have been treated, they are encouraged to use the grievance or dignity at work policies, which are available from staff shared drive in HR 20 file.

If a person has a concern that relates to financial misconduct or fraud, the person is advised to refer to the school's financial policies and procedures.

4. Roles and Responsibilities

4.1. Governing Body and Headteacher

The Governing Body and Headteacher are responsible to:

- establish a culture whereby all individuals fully understand that it is safe and accepted to raise whistleblowing concerns
- actively want and expect individuals to raise whistleblowing concerns
- ensure that victimisation of anyone who uses the Whistleblowing procedure is not tolerated

4.2. Headteacher or Chair of Governors

The governing body has designated the Headteacher specifically to deal with matters concerning Whistleblowing.

Their responsibilities are to:

- reassure and support individuals to use these procedures
- receive concerns raised by individuals
- respect an individual's request that a concern is raised in confidence
- ensure that they effectively communicate with individuals
- record concerns on the school's confidential reporting form (CRF1 – Appendix 1).
- carry out an initial assessment or preliminary investigation
- acknowledge the concern to the person raising it, within ten working days of it being raised and, in the response, indicate:
    - how it is proposed to deal with the matter
    - an estimate how long it will take to provide a final response
    - whether any initial enquiries have been made
    - provide information on individual support mechanisms
- inform, where appropriate, the person against whom alleged concerns have been raised, of the nature of the concerns and how it is proposed to deal with the matter

NB If the concern is about the Headteacher, then the designated person is the Chair of Governors. If the concern is about the Chair of Governors, then the designated person is the Director of Children's Services in Community and Voluntary Controlled Schools.

4.3. Whistleblower (the person raising the concern)

- the whistleblower should raise the concern in 'good faith'
- report the concern to the appropriate person in the school, eg Headteacher or Chair of Governors, and in exceptional cases outside the school governance

4.4. Trade unions and Professional Associations (or Work Colleague)

- support the whistleblower to lodge the concern(s)
- support the whistleblower to formally present their concerns to the appropriate person

NB A representative cannot speak on behalf of the whistleblower.

4.5. Local Authority

- Where the concern is raised directly with the Local Authority, the relevant designated posts will provide advice and guidance to the school's:
    - Monitoring Officer
    - Section 151 Officer
    - Director of Children's Services
- The Local Authority will provide support, guidance and advice on HR and Legal matters, where the school purchases the appropriate SLAs.

5. Protection provided to the Whistleblowers

5.1. Victimisation

Provided the whistleblower is raising a genuine concern, it does not matter if they are mistaken. Of course, the School does not extend this assurance to someone who **maliciously** raises a matter they know is untrue.

If the **whistleblower** has raised a genuine concern under this policy, they will not be at risk of losing your job or suffering any form of reprisal as a result.

The school will not tolerate the harassment or victimisation of anyone raising a genuine concern and we consider it a disciplinary matter to victimise anyone who has raised a genuine concern.

5.2. Confidentiality

With these assurances, we hope that the whistleblower will raise their concern openly. However, the school recognises that there may be circumstances when they would prefer to speak to someone confidentially first. If this is the case, they are requested to advise the school of their concern(s) at the outset.

If they ask the school not to disclose their identity, it will not be disclosed without the whistleblower's consent (unless required by law). The whistleblower should understand that there may be times when the school is unable to resolve a concern without revealing their identity, for example where personal evidence is essential or in an investigation report to provide context. In such cases, the school will discuss with them whether and how the matter can be best progressed.

Please remember that if the whistleblower does not identify themselves (and therefore are raising a concern anonymously) it may be difficult for the school to investigate the matter. The school will not be able to protect the position of the whistleblower or provide feedback, as it can when a whistleblower's identity is disclosed at the outset.

6. Whistleblowing Procedure

6.1. Steps to follow when raising a concern internally

When raising your concern, the whistleblower does not need to have firm evidence of malpractice. However, the school requests that they explain as fully as they can, the information or circumstances that have given rise to their concern.

If they wish to raise the matter confidentially, you are requested to advise the school of this at the outset, so that appropriate arrangements can be made.

6.2. Step one

If you have a concern about malpractice, the school hopes that the whistleblower will feel able to raise it first with their line manager or Headteacher. This may be done:

- **verbally**
- **in writing** in open correspondence
- using the school's **Confidential Reporting Form** (CRF1 – Appendix 1)

6.3. Step two

If they feel unable to raise the matter with their line manager or Headteacher, for whatever reason, they are encouraged to use the school's Confidential Reporting Form (CRF1) and send it to the Chair of Governors.

6.4. Step three

NB This only applies to Community and Voluntary Controlled Schools, where Wirral Council is the ultimate employer of staff in those schools.

If the Whistleblower feels unable to raise the matter with the Chair of Governors, for whatever reason, they are encouraged to use the school's Confidential Reporting Form (CRF1) and send it to one of the **Council's Designated Officers**. The list of Designated Officers, with their contact details is available both on the Whistleblowing page of the Council's Intranet site and at Appendix 2 of this policy.

These people have been given special responsibility and training for dealing with whistleblowing concerns.

If the whistleblower feels unable to raise their concerns with any of the Council's Designated Officers, they can communicate their concerns by completing the Council's CRF1 form and sending it directly to the Councils Director of Governance & Assurance (the Monitoring Officer).

6.5. How the school will respond to a whistleblowing concern

Where a concern has been raised under step one or two (above), it will be acknowledged within 5 working days.

The Headteacher or Chair of Governors will:

- write to the whistleblower acknowledging their concern(s)
- undertake a preliminary investigation

If the Headteacher or Chair of Governors is satisfied that the concern raised requires a formal investigation, an investigating officer will be identified.

The Headteacher or Chair of Governors will write to the whistleblower to confirm:

- details of the appointed investigating officer
- details of how the concern(s) will be investigated
- details of the support mechanisms available to the whistleblower during the investigation

During the investigation, the investigating officer will maintain regular contact with the whistleblower and, where possible, provide a timetable for the investigation.

At the conclusion of the investigation, a report will be sent to the Headteacher or Chair of Governors, outlining the findings of the investigation and providing any recommendations.

Recommendations are sometimes provided to assist the school in addressing findings that are reported during the investigation.

The Headteacher or Chair of Governors will then write to the whistleblower with details of his/her findings.

7. Additional support for employees

Any employee who raises a concern or is the subject of an investigation under the Whistleblowing Policy can access additional support from the school such as a referral to the school's occupational health provider or confidential counselling through the Employee Assistance Programme.

NB If the school has purchased an Employee Assistance Programme, it is an independent organisation that provides confidential help and assistance including counselling for employees for any personal or work-related issue.

8. External Disclosures and Independent Advice

It is the aim of the Whistleblowing Policy to provide the whistleblower with the reassurance and information that they need to raise their concern internally.

If they would prefer to report the concern(s) externally, they may wish to seek advice from their Trade Union, regulatory or professional body, or from the whistleblowing charity, 'PROTECT'. What is most important is that the concern is raised and considered.

PROTECT can be contacted

- by telephone on 020 3117 2520
- by email on whistle@protect-advice.org.uk

- more information about what they do can be found by visiting www.protect-advice.org.uk

9. Commitment to Equality

This policy addresses the following equality duties:

- to eliminate unlawful discrimination, harassment, and victimisation
- to advance equality of opportunity
- to foster good relations between different groups of people

10. Other Related Policies

Grievance

Dignity at Work

Complaints

School's Financial Policies and Procedures

Information Governance

Appendix 1

Confidential Reporting Form (CRF1)

Does the person want this matter to be dealt with in confidence? (tick one box)		Yes	No
Name of person raising whistleblowing concern			
Role or post			
School name (where appropriate)			
Contact address			
Phone number			
Date of disclosure			
Background and history of the concern (giving relevant dates):			

Have any other persons and/or organisations been contacted? (tick one box)	Yes	No
If yes, please give details:		
Does the individual have any personal interest in the matter? (tick one box)	Yes	No
If yes, please give details:		
Does this concern fall more properly within another school procedure? (tick one box)	Yes	No
Initial Action taken by the Headteacher* and outcome - ensuring any urgent action is undertaken:		

Further Action (tick appropriate box below)

	None required		**Disciplinary process**
	Investigation by school management		**Refer to Police**
	Internal audit		**External audit**

Other action, please state:

Headteacher*

Signed: ……..…….…….. Date:

Individual person raising the concern
Please sign below and enter any comments, if any, in this box.

Signed: ……. Date:

If the concern is about the Headteacher the designated person is the Chair of Governors. If the concern is about the Chair of Governor's the designated person is the Director of Children's Services.

Appendix 2

Local Authority Designated Officer Contact Details

Role	Address	Phone
Director for Children, Families and Education	PO Box 290 Brighton Street Wallasey CH27 9FQ	0151 666 4288
Director of Resources Section 151 Officer (Financial Issues)	PO Box 290 Brighton Street Wallasey CH27 9FQ	0151 691 8688
Director of Governance and Assurance Monitoring Officer (Governance issues)	PO Box 290 Brighton Street Wallasey CH27 9FQ	0151 691 8491