



Whistleblowing policy and procedure

Portreath School

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1. Introduction

- 1.1. We are dedicated to providing the utmost care for our pupils and staff. We aim to ensure that all members of the school community feel safe in the knowledge that they can voice any concerns in confidence and that they will be taken seriously and dealt with appropriately.
- 1.2. If you are concerned about the conduct of a colleague towards a pupil you are undoubtedly placed in a very difficult position. You may worry that you have misunderstood the situation and you may wonder whether a report could jeopardise your colleague's career. You must remember that the welfare of the child is paramount. This policy enables you to raise concerns or allegations in confidence and for a sensitive enquiry to take place.
- 1.3. We take responsibility for ensuring that you are aware of whistleblowing policy and procedures, and are made to feel comfortable that you can voice your concerns no matter what the circumstances.

2. Definition of 'whistleblowing'

- 2.1. Whistleblowing inside the workplace is the reporting by workers or ex-workers of wrongdoing, such as criminal activity, unauthorised use of public funds, fraud, malpractice, mismanagement, breach of health and safety law, damage to the environment or any other illegal or unethical act either on the part of management, the Governing Body or fellow employees. For the avoidance of doubt this list is non-exhaustive. Workers may include volunteers, contractors and outside agencies or others.

3. Reporting concerns to the school

- 3.1. If you have a concern about another member of staff you should report it to a member of our leadership team, the designated person for safeguarding or the Headteacher. Complaints about the Headteacher should be reported to the Chair of Governors.
- 3.2. We will listen to and take seriously all concerns. If you are in any doubt as to whether a concern is valid, you should report it, and we can decide to what extent it needs to be investigated.

- 3.3. If you have any concerns or are unsure about reporting the issue in this manner, it is recommended that you seek advice from your Union.

4. Wider disclosure

- 4.1. We encourage all of our staff to follow the internal procedures outlined in this policy, but understand that in some cases you may feel it is necessary to take your concerns to external agencies. This should, however, be done only as a last resort. You should only approach external agencies regarding your concerns without discussing them internally first if:

- a) you feel that there is no internal authority that can be contacted with trust;
- b) you believe that you will be victimised if you follow internal procedures for whistleblowing;
- c) you believe that the concern you have raised has not been taken seriously or acted upon correctly.

- 4.2. If you take your concerns to an external agency we urge you to be careful not to disclose any confidential information. Information that is confidential and should therefore not be disclosed should be outlined in your contract of employment. **Note: it is against the law to publish any information which may lead to the identification of a teacher who is subject to an allegation.**

- 4.3. The authorities that may be of help to you are:

- a) Children's Social Care Services
- b) Police
- c) NSPCC
- d) Health & Safety Executive
- e) Audit Commission
- f) Local Citizens Advice Bureau
- g) Relevant professional bodies or regulatory organisations
- h) Department for Education
- i) Ofsted

5. Confidentiality

- 5.1. All concerns will be treated in confidence, and we are committed to protecting your identity as far as is possible. However, in some circumstances it may not be possible to do this, for example: if it will prevent a thorough investigation taking place, if there is reason to reveal your name by law or if you have to give evidence at any hearings.
- 5.2. In cases where identities are revealed for whatever reason, we will do our best to support all parties involved and protect them from discrimination and victimisation.
- 5.3. Confidentiality is a priority throughout any investigation, and continues to be once the investigation is over, and we urge you to closely follow all guidelines relating to confidentiality.

6. Anonymous allegations

- 6.1. We would encourage you to put your name to concerns made as it will aid a more thorough investigation. However, we will investigate all anonymous allegations seriously; following the proceedings outlined in this policy as far as is possible.

7. False allegations

- 7.1. We encourage you to voice your concerns and allegations safe in the knowledge that those who make allegations in good faith that do not prove to be true will not be reprimanded.
- 7.2. We may however take disciplinary action against you if you make claims that are found to be knowingly false, malicious, or for personal gain.

8. Responding to a concern

- 8.1. We will investigate all allegations and concerns but the act of investigation does not indicate that we have accepted the allegations as true.
- 8.2. Usually, the first course of action will be one of the following:
 - a) an investigation by managers, internal audit, or through the disciplinary process;
 - b) an investigation under other procedures such as child/adult protection;

- c) an investigation under procedures designed to deal with allegations made against professionals;
- d) a referral to the police;
- e) a referral to the external auditor or other external investigation;
- f) an investigation under other forms of prosecution and inspection such as the protection of public health and safety;
- g) a referral to an independent investigator.

8.3. Any concerns that fall under specific procedures will be followed up as described in their specific policy, e.g., child protection and safeguarding issues will be followed up as described in our **child protection and safeguarding policy**.

9. Whistleblowing procedures

The role of the whistleblower

9.1. Concerns will usually be dealt with in this way:

- a) You will raise your concern with your manager, either in person or in writing. If your manager is the subject of the concern, you should go straight to the Headteacher. You will be dealt with in confidence and invited to an interview to discuss the allegation. You can go straight to the Chair of Governors with your concern, but you will be asked to explain why you did not feel comfortable taking it to a member of your leadership team.
- b) The member of the leadership team that has heard the concern will decide upon the next course of action. If they decide that it is a genuine concern, and that it is appropriate to follow the whistleblowing procedure, they may take the matter to the Headteacher or the chair of the Governing Body.
- c) If there is any reason that you feel you are unable to speak to any member of the school or Governing Body, you should contact a member of the Trust board

Role of the leadership team

Hold an interview

9.2. Once an allegation has been brought to their attention, the senior staff member, Headteacher or Chair of Governors will hold an interview with you,

in confidence. This will take place immediately if there is concern that a child is at risk of harm, or within 5 days if this is not the case. During this interview they will:

- a) get as much information about the basis of the allegation as they can, and will record what is discussed;
- b) discuss the next action points and steps that will be taken with you and ensure that you fully understand what is going to happen; if the standard whistleblowing procedure is not going to be followed, this should be explained and an alternative procedure outlined;
- c) provide support to you; you may be worried about your position, getting someone else into trouble, or what you suspect may be happening.

9.3. You may want to seek the support of your trade union when going through whistleblowing procedures. You are permitted to take a representative from your trade union to your interview and subsequent meetings.

Decide on a course of action

9.4. **If there is cause for concern** once the interview has been carried out, the leading member of staff will take the information that they have recorded to the Headteacher (or Chair of Governors if the Headteacher is of concern).

9.5. **If it is decided that no further action will be taken** this will be explained to you within 10 working days. This may be because:

- a) the leadership member does not feel that there is enough evidence to warrant a continued investigation and that is unlikely that any malpractice has occurred or will occur;
- b) there is a belief that you are not acting in good faith;
- c) the matter has already been raised and is being investigated.

9.6. The Headteacher, if not already involved, will be informed of the concern even if no further action is to be taken.

Role of the Headteacher and Governing Body

9.7. The person who receives the report – whether it is the Headteacher or Governing Body – must act on the concern fully. If there is a good reason not to, this will be explained at the next Governing Body meeting and

reported back to you.

- 9.8. The Headteacher of Chair of Governors will decide whether any external authorities need to be reported on the matter, or whether it is a case for internal investigation.
- 9.9. The decision and progress of the case will be reported back to the leadership member involved, and this will be reported by them to you.
- 9.10. The outcomes of any investigations will be reported to you in writing to your home address within 28 working days. If you do not receive any information and this time has passed, you may appeal for information through your manager or may go to an appropriate external agency, under paragraph 4.3, but will inform the leading member of staff.

10. Recording, monitoring and evaluation

- 10.1. All staff concerned and involved with any allegation or investigation should keep good records of meetings they attend, discussions that are held, and any outcomes or action points that have been decided.
- 10.2. The Headteacher and/or Governing Body will review and evaluate all allegations, how they have been dealt with, and their outcomes, to prevent similar future cases, and ensure that procedures are being used correctly and are effective.
- 10.3. This policy will be reviewed annually and any relevant cases that have come up during the past year will be taken into account when it is being reviewed.

11. Outcomes

- 11.1. If you are dissatisfied and feel that an allegation that you have made has not been dealt with seriously or properly, you can take the matter up with the local authority. All school leaders will try their best to deal with allegations fairly and effectively.

12. Independent advice

- 12.1. This policy is designed to help you with any whistleblowing concerns and procedures, but we understand that you may wish to get advice from independent external agencies.