

**Our Lady's Catholic Primary School**



**We aspire that through the love of Jesus everyone should  
"have life and have it to the full."  
Jn. 10v10**

# **WHISTLE BLOWING POLICY**

<b>Approved by: Governing Body</b>	<b>Date: September 2022</b>
<b>Last reviewed on:</b>	<b>Date: September 2024</b>
<b>Next review date:</b>	<b>September 2026</b>

## 1. INTRODUCTION

This policy has been written in compliance with Herefordshire Council and has been discussed with the relevant trade unions and professional organisations and has their support.

This policy is also written in accordance with guidance from Working Together to Safeguard Children (2018), Chapter 2, paragraph 4 which states:

*‘Organisations should have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children including:  
Clear whistleblowing procedures, which reflect the principles in Sir Robert Francis’s Freedom to Speak Up review and are suitably referenced in staff training and codes of conduct and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed.’*

- 1.1 Whistleblowing has been defined as:  
***‘the disclosure by an employee or professional of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the work place, be it of the employee or his/her fellow employees’*** (Public Concern at Work Guidelines 1997)
- 1.2 Statutory protection for employees who whistleblow is provided by the **Public Interest Disclosure Act 1998 (PIDA)**. Our Lady’s will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.
- 1.3 This policy applies to all school staff including full and part-time, casual, temporary, substitute staff and to individuals undertaking work experience in the school.

## 2. SAFEGUARDS

- 2.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.
- 2.2 This policy encourages you to put your name to your allegation whenever possible but concerns expressed anonymously are much less powerful and will be considered at the discretion of the school.
- 2.3 If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation maliciously or for personal gain, disciplinary action may be taken against you.
- 2.4 If information relates to child protection/safeguarding then the school’s Safeguarding Policy should be followed.

## 3. AIMS AND SCOPE OF THIS POLICY

- 3.1 This policy aims to:
  - encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice.

- provide avenues for you to raise those concerns and receive feedback on any action taken
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

3.2 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. This policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damages to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse of clients, or
- other unethical conduct.

3.3 Any serious concerns that you have about any aspect of service provision or the conduct of officers or members of the Council or others acting on behalf of the Council can be reported under this Policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Council subscribe to; or
- is against the Council's Standing Orders and policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

3.4 The Governing Body will not tolerate harassment or victimisation of members of staff when matters are raised in accordance with the PIDA provisions. Any member of staff who victimises or harasses a member of staff as a result of their having raised a concern in accordance with the whistleblowing policy will be dealt with under the Governing Body's staff disciplinary procedures.

#### 4. HOW TO RAISE A CONCERN

4.1 As a first step, you should normally raise concerns with your immediate manager **(Head teacher)** or if it involves the Head teacher, then contact should be made with either the **Chair of Governors, the MASH Team who may refer to LADO. Such concerns should always be logged with Ofsted.** This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that your management is involved, you should approach;

- **Head of Law and Governance – Tel. No. 01432 261906**

4.2 If you feel you cannot express your concerns within the school it is open to you to raise your concern with someone outside the school setting from the list of organisations in the section of this policy '**Taking the Matter Further**'.

4.2 Concerns may be raised orally or in writing.

4.3 The earlier you express the concern the easier it is to take action.

4.4 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

4.5 Advice and guidance on how matters of concern may be pursued can be obtained from the Head of Legal and Democratic Services who is also the Monitoring Officer for the Council and has a legal responsibility to ensure that the council acts properly at all times.

4.6 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

4.7 You may invite your trade union or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

## **5. HOW THE SCHOOL WILL RESPOND**

5.1 Our Lady's will respond to your concerns. Do not forget that testing your concerns is not the same as either accepting or rejecting them.

5.2 Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary process
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry.

5.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Council will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

5.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

5.5 Within **ten** working days of a concern being raised, the responsible person you have contacted will write to you:

- acknowledging that the concern has been received

- indicating how we propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling you whether any initial enquiries have been made
- supplying you with information on staff support mechanisms, and
- telling you whether further investigations will take place and, if not, why not.

5.6 The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, Our Lady's will need further information from you.

5.7 Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative or a friend.

5.8 Our Lady's will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Council will arrange for you to receive advice about the procedure.

5.9 Our Lady's accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcomes of any investigation.

## **6. THE GOVERNORS**

The Chair of Governors maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Council.

## **7. HOW THE MATTER CAN BE TAKEN FURTHER**

7.1 This policy is intended to provide you with an avenue within the school to raise concerns. Our Lady's hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the school or Local Authority, the following are possible contact points:

- The Ombudsman
- Cardiff Diocese
- your trade union
- your local Citizens Advice Bureau
- relevant professional bodies or regulatory organisations
- a relevant voluntary organisation
- the police

In February, 2015, the 'Freedom to Speak Up' report was published. This report was written by Sir Robert Francis QC and looked at how incidents of poor care practice in the NHS could be prevented. Sir Robert found that NHS staff found it difficult to report their concerns and could be penalised for doing so. Whilst the 'Freedom to Speak Up' report is written primarily about the NHS, the findings have been applied in other fields including organisations covered by Working Together to Safeguard Children (2018). Our Lady's School is committed to the highest possible standards of openness and

accountability and this Whistleblowing Policy supports this commitment. This policy is included in induction for all staff and volunteers so that they understand why the whistleblowing policy is in place and what concerns are covered.

### **Ofsted Whistleblowing Hotline**

Telephone 0300 123 3155 from 8am to 6pm weekdays

Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)

Post: WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester. M1 2WD

### **Independent Advice**

Whistleblowing Charity – Public Concern @ Work

Telephone 020 7404 6609

Email: [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk)

Website: [www.pcaw.co.uk](http://www.pcaw.co.uk)

NSPCC Whistleblowing helpline: 0800 028 0285 8am – 8pm Monday to Friday and email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

If you do take the matter outside Our Lady's you should ensure that you do not disclose confidential information. Check with the contact point about that.

Based on the LGMB Model/Procedure 1998 and the requirements of the Public Interest Disclosure Act 1998.