



## **Whistleblowing policy**

### **Commitment to equality:**

We are committed to providing a positive working environment which is free from prejudice and unlawful discrimination and any form of harassment, bullying or victimisation. We have developed a number of key policies to ensure that the principles of Catholic Social Teaching in relation to human dignity and dignity in work become embedded into every aspect of school life and these policies are reviewed regularly in this regard.

**This Policy and Procedure has been approved and adopted by the Governing Body on 6 December 2023 and will be reviewed on September 2024.**

**Signed by Chair of Governors:**

*Francis Baker*

**Signed by Headteacher:**

*P. O'Meara*

**This Policy is based on the Haringey Model Whistleblowing Policy 2022**



FEDERATION OF  
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INFANT AND JUNIOR SCHOOLS



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## **Introduction**

The School is committed to conducting its business with honesty and integrity, and expects all staff to maintain high standards in accordance with their contractual obligations and the School's policies and procedures. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

This Whistleblowing policy explains how the School, the Council and the Diocese will meet their obligations in relation to the Public Interest Disclosure Act (PIDA) 1998 and the Enterprise and Regulatory Reform Act 2013. Both Acts protect employees against victimisation if they make a protected disclosure.

Keeping Children Safe in Education (September 2016) also applies a statutory duty for schools to provide a mechanism in which individuals are able to raise concerns about safeguarding.

## **1 Aims and objectives**

The aims of this policy are to:

- Assist workers in feeling confident about raising concerns regarding fraud, malpractice and improper conduct within the school.
- Ensure workers using this policy are protected from reprisals or victimisation if they have a reasonable belief that they have made a disclosure, which is in the public interest.
- Ensure that there is a clear process for whistleblowing concerns to be raised and addressed.
- Ensure that workers receive a response to their concerns; and that workers are aware of how to pursue them if they are not satisfied.

## **2 Scope**

This policy may be used by all workers at the School to raise concerns of wrong doing in the workplace that is in the public interest.

## **3 Definitions**

3.1 "the School" is used in this policy to refer to the Federation of St Peter's and St Gildas' Schools

### **3.2 Worker**

The term 'Worker' is used in this policy to broadly include employees, contractors, agency workers, trainees or any person who is or was subject to a contract to undertake work or services for the school.



### 3.3 Whistleblowing

Whistleblowing takes place when a Worker discloses information regarding a wrongdoing in the workplace that is in the public interest. For example, this could involve an individual or group of individuals involved in breaking the law in the workplace or an individual attempting to cover up an unlawful act.

3.4 It is distinct from the grievance procedure which should be used if an employee has a complaint relating to their personal circumstances in the workplace. Personal grievances (e.g. bullying, harassment, discrimination) are not covered by whistleblowing legislation, unless a particular case is in the public interest. Such complaints should be raised by employees under the grievance policy.

3.5 Concerns about wrongdoing within the school such as malpractice, breach of health and safety law or any other illegal or unethical act either on the part of management, the governing body or by fellow workers may be raised using this procedure.

3.6 The PIDA 1998 lists six concerns which can be raised. The Worker must disclose information that relates to one of these six types of “relevant failure”:

- a. A criminal offence has been committed, or is likely to be committed (s43B(1)(a) ERA);
- b. A person has failed or is likely to fail to comply with any legal obligation to which they are subject (s43B(1)(b) ERA). For example, a breach of contract, or a breach of statutory requirement;
- c. A miscarriage of justice has occurred or is likely to occur (s43B(1)(c) ERA);
- d. The health and safety of an individual has been or is likely to be endangered (s43B(1)(d) ERA);
- e. The environment has been or is likely to be damaged (s43B(1)(e) ERA)
- f. Information regarding any of the above has or is likely to be deliberately concealed (s43B(1)(f) ERA).

3.7 Any malicious allegations made under the whistleblowing policy may result in an internal investigation by the School and possibly an investigation by the police. Any inappropriate behaviour from other workers as reprisal due to the whistleblowing policy being used, may be subject to disciplinary procedures.

3.8 Whistleblowing concerns usually relate to the conduct of school staff, but they may sometimes relate to the actions of a third party, such as a service provider. The law allows staff to raise a concern in the public interest with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, staff are encouraged to report such concerns internally first.



#### **4 Fraud**

Disclosures regarding fraud will be referred to the Council's Fraud Response Plan. Where the individual believes the disclosure covers fraud then the individual can report such allegations to the Head of Audit and Risk Management, Haringey Council or via the Council's Fraud Hotline on: 0500 500 777 where information can be left anonymously. Emails can also be sent to [fraudcall@haringey.gov.uk](mailto:fraudcall@haringey.gov.uk) or workers can write to the Fraud Team at PO Box 22727, London, N22 7WS.

#### **5 Assurances to whistleblowers**

If a Worker makes a disclosure of information on one or more of the issues listed in 4.5 above and they have a reasonable belief that the information shows one of the six relevant failures the Worker will not suffer any detriment (including dismissal), even if after investigation it transpires that the concern is unfounded. The school will not tolerate the harassment or victimisation of any worker raising a genuine concern and will take appropriate action, including disciplinary procedures, to protect workers raising a concern which is in the public interest.

#### **6 Anonymity of worker**

- 6.1 If a Worker requests that their identity is protected, the School will try and protect their anonymity as far as is possible. If the situation arises where the School is unable to resolve the concern without revealing the worker's identity (for instance because the Worker's evidence is needed in court), the School will discuss with the Worker how the matter should proceed.
- 6.2 It must be recognised that if a Worker chooses not to disclose their identity it will be much more difficult for the School to look into the matter or to protect an individual's position or to give feedback. For that reason, Workers are encouraged to put their name to allegations they make.
- 6.3 Anonymous complaints are harder to investigate, therefore a strictly confidential meeting is available with the School's Business Manager, the local Trade Union representative or someone else in a senior position in the school.
- 6.4 The school will aim to keep the whistleblower informed of the progress of the investigation and its likely timescale, unless the report is made anonymously.
- 6.5 It is important that any worker making an allegation must:
- 6.5.1 believe the disclosure of information is in the public interest;
  - 6.5.2 believe it to be substantially true;
  - 6.5.3 not act maliciously; or knowingly make false allegations;



6.5.4 not seek any personal gain.

## **7 Procedure for making complaints**

7.1 Subject to the following paragraph, in the first instance Workers should raise their concerns in writing with the Headteacher, Deputy Headteacher, line manager or Trade Union Representative as they see fit. Concerns should be made in writing wherever possible, and sent to the School Business Manager via the school office. There must be reasonable grounds for any suspicions, and as much detail provided as possible

7.2 If the Headteacher is implicated the concern should be raised with the Chair of Governors.

7.3 Concerns about the Chair of Governors, any individual governor or the whole governing body should be addressed to Martina Coen (the Clerk to the Governing Body) who will refer the concerns to the Diocese, and the Head of Audit and Risk Management (see section 4 above).

7.4 The Assistant Director of Corporate Governance (Haringey's Monitoring Officer), will be informed by the School of the issue that has been raised under the whistleblowing policy. The Officer will monitor the situation and outcome of investigations.

## **8 Investigation**

8.1 Once a concern has been raised, the recipient of the concern will carry out an initial assessment to determine the scope of any investigation. This may involve meeting with the person raising the concern to get as much detail as possible about the concern, and to record the information. At these meetings the Worker may be accompanied by a union representative or work colleague.

8.2 Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken.

8.3 The school will inform the 'whistleblower' of the outcome of its assessment.

8.4 Where there is sufficient cause for concern to warrant further investigation:

- The recipient should then arrange a further investigation into the matter, involving the Headteacher and/or Chair of Governors if appropriate. In some cases, they may need to bring in an external, independent body to investigate. In other cases, they may need to report the matter to the police
- The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps



8.5 The Worker raising the concern may be required to attend additional meetings to provide further information.

## **9 Outcome of the Investigation**

9.1 Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified, and whether or not a referral is required to an external organisation, such as the local authority or police.

9.2 They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

9.3 Beyond the immediate actions the headteacher, Governors and other staff if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing

9.4 While we cannot always guarantee the outcome sought we will try to deal with concerns fairly and in an appropriate way. Any member of staff raising a concern under the Policy will be kept informed of progress by the person undertaking the investigation, including, where appropriate, the final outcome. However, in certain circumstances, e.g. where disciplinary action under the school's Disciplinary Policy has resulted from the concern, it may not be appropriate to provide specific details due to the confidentiality and sensitivity of such matters.

9.5 There are no rights of appeal against any decisions taken under this policy. The School will keep a log of whistleblowing complaints and provide this to the Council on request.

9.6 Workers should feel confident in raising any concerns under the whistleblowing policy, as long as there is a reasonable belief they are acting in the public interest. However, in cases where allegations are found to be malicious, made in bad faith or for personal gain (for example made due to a Worker holding a grudge against another employee), the worker may be subject to disciplinary action under the school's Disciplinary Policy.



## **10 Seeking external advice**

- 10.1 The law encourages workers to make an internal disclosure as the primary method of whistleblowing; however, the school fully recognises that staff may wish to seek advice and support from their trade union before deciding to make a whistleblowing complaint.
- 10.2 In certain circumstances, it may be appropriate to raise concerns outside the school to the appropriate 'prescribed regulator'. It is recommended that this is only done after a Worker has attempted to address concerns directly with the School, Diocese or Council and through the whistleblowing policy.
- 10.3 The concern raised must be in the genuine interest of the public and the individual raising it must believe the information to be substantially true, i.e. more than just suspicion. The Worker is advised to discuss his/her concerns with a legal advisor or trade union before taking the step of reporting concerns outside the school to the appropriate statutory or regulatory body, for example, Ofsted, the relevant examination board or Public at Work.

## **11 Concerns raised by children**

- 11.1 The School works hard to ensure that children are confident and know how to seek help if they are worried about anyone's behaviour or conduct towards them. The child protection policy, for dealing with allegations against other children and disciplinary policy for allegations against staff should be referred to when dealing with any safeguarding concerns.
- 11.2 If an allegation about a member of staff or volunteer is related to the safety or wellbeing of a child the School's Child Protection Policy should be referred to and the Local Authority Designated Officer (LADO) will be contacted if necessary.
- 11.3 The Department For Education "Keeping Children Safe in Education" documentation includes guidance on safeguarding of children in schools. The document can be found at:  
<https://www.gov.uk/government/publications/keeping-children-safe-in->





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## **12 Monitoring and review**

12.1 The Headteacher will ensure that the policy is implemented, that a log of all whistleblowing is maintained and that all workers are aware of this policy.

## **13 Links with other policies**

This policy links with our policies on:

- Staff grievance policy
- Complaints procedure
- Child protection policy