

The Holy Spirit Catholic Primary School



Whistleblowing Policy

Headteacher: Mr. John McDonald
Chair of Governors: Mrs. B. Burgess

April 2018

“Together in the Spirit of Love and forgiveness our family learns to grow in Hope and Joy” Our Mission Statement

Introduction

“Whistleblowing” is the term used to describe an employee raising concerns about practice and policies in the workplace.

Every organization, be it a business or a public body may face the risk of misconduct in the workplace. When this happens usually the first people to realize or suspect will be those who work in the organization.

Whistleblowing is a valuable activity which can positively influence all our lives.

Purpose

Children cannot be expected to raise concerns.

This policy is intended to provide additional information to help staff understand the role of whistleblowing in the context of poor practice and unacceptable attitudes and behaviour toward children.

The Holy Spirit Catholic Primary School adheres to Halton Borough Council’s Confidential Reporting Code and procedures that enable staff to raise concerns relating to:

1. Actions or behaviour that makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the council subscribes to; or
2. Is against the council's Standing Orders and policies; or
3. Falls below established standards of practice; or
4. Amounts to improper conduct; or
5. Conduct which is a criminal offence or a breach of the law; or
6. Disclosures related to miscarriages of justice; or
7. Dangerous procedures risking health and safety, including risks to the public, service users and to other employees; or
8. Damage to the environment; or
9. The unauthorized use of public funds; or
10. Fraud and corruption; or
11. Abuse and neglect of service users; or
12. Other unethical conduct; or
13. Concealing or attempting to conceal any of the above.

This list is not exhaustive but gives examples of malpractice. The overriding concern for the employer and employee should be that it would be in the public interest for malpractice to be corrected and if appropriate sanctions taken.

When to use this policy

This policy can be used by anyone employed to work in school in a paid or voluntary capacity that in all good faith has concern about the attitude and / or conduct of an adult working in school toward a pupil and believes it may be inappropriate.

Inappropriate conduct includes, but is not confined to:

1. Bullying and humiliation;
2. Discrimination;
3. Serious breaches of the school Code of Conduct for Staff and volunteers;
4. Professional practice that falls short of normally accepted standards and or is at odds with policy and procedures;
5. Contravening health and safety guidelines;
6. Compromising pupils’ welfare but in a way that does not meet the threshold for Child Protection intervention.

Reasons for Whistleblowing

Staff may feel reticent to report a concern about the conduct of a colleague. At The Holy Spirit Catholic Primary School we believe that each individual must take their responsibility to safeguard and promote the welfare of children seriously and ensure that pupils are treated fairly. History evidences that when poor practice is allowed to continue unchecked, it can escalate with very serious consequences.

By reporting your concern you not only protect pupils but also deter any suggestion that you have colluded with poor practice which you knew was occurring but chose to ignore.

Whistleblowing can also support the member of staff who is subject of the concern. It is possible that their conduct may result from inexperience or lack of training which can be addressed by school, or they may be under stress and be relieved when their conduct is questioned.

Staff who deliberately fail pupils and show no remorse or desire to improve are unlikely to welcome being exposed, but their conduct has to be confronted for the sake of pupils and the reputation of the whole school.

Barriers to Whistleblowing

You may worry that you have insufficient evidence to raise a concern, that you may set in motion an unstoppable train of events, that there will be adverse repercussions for your career, that you may suffer harassment or victimization, or that your suspicion or concern may be totally misplaced.

These concerns are entirely understandable but you can be reassured that whistleblowing procedures address these issues.

The Public Information Disclosure Act 1998 protects employees from reprisals for public interest whistleblowing. This Act also relates to the responsibility to act upon any suspicion or evidence of abuse or neglect. Your union, a solicitor or the local authority legal services can provide you with information about your legal position.

Confidentiality and Anonymity

All whistle blowing concerns will be treated in confidence and, as far as possible, your identity will not be revealed if that is your wish. However, absolute confidentiality cannot be guaranteed if, as a result of an investigation, you are required to provide a witness statement or attend a court hearing.

You can if you prefer raise your concern anonymously. In such an event the school will need to decide whether the levity and credibility of the concern warrants investigation if the source of the concern and the key evidence is not available.

The Holy Spirit Catholic Primary School will fully support you and do all it can to protect you from any harassment or adverse repercussions that may arise from whistleblowing.

Allegations that prove to be deliberately fabricated and malicious will be dealt with through staff disciplinary procedures. However, no action will be taken against any member of staff who raises a genuine concern that proves to be unfounded.

Reporting Procedure

1. It can help if you write down for your own benefit, what you have observed or heard which caused you to be concerned. One useful way to decide whether to report your concern is to consider whether you would want the conduct of this person to continue unchecked if your own child or another young family member was involved.
2. You may raise your concern verbally or in writing. You should report your concern directly to the Headteacher.
3. If the Headteacher is the concern or is implicated pass the information to the Chair of Governors.
4. A friend, colleague or union representative may accompany you to a meeting if you wish.
5. Ensure the Headteacher or Chair informs you of their proposed action and sets a date for a second meeting.
6. Timescales will depend on the complexity of the initial inquiry but the case should not be allowed to stall and you should receive initial feedback within 10 working days. The feedback you receive may be limited by data protection rules but you should receive some feedback to know your concerns have been acted upon. The timescale for any subsequent feedback should then be agreed.
7. Ask for clarification about confidentiality and ensure you have your wishes regarding protection of your identity recorded.

Process and outcome

1. The Headteacher or Chair of Governors will make enquiries to establish the facts of the matter and whether poor practice or inappropriate conduct has occurred.
2. Members of the school community, including Governors may be asked to provide information or advice.
3. External advice, for example from legal or human resources or children's services may be sought.
4. A written record of the conduct, established facts and outcome of the inquiry will be kept.
5. The whistle-blower will be kept informed of the progress of the inquiry.

The outcome of the inquiry will be one of the following:

1. No poor practice or wrongdoing is established and the case is closed.
2. The concern has some substance and the subject of concern will receive advice and support from the Headteacher to improve practice.
3. Poor practice or wrongdoing is established and disciplinary procedures are initiated.
4. The concern is more serious and an investigation is initiated. The investigation may involve the Local Authority's legal team, Children's Social Care or the Police.

If at any stage in the process there is reason to believe that a child is at risk of significant harm, Child Protection procedures must be followed.

Further Action and Information

If you raise concern and are dissatisfied with the way it is managed, or the outcome, you may contact the Governing Body or Local Authority for advice.

Alternatively you can seek advice from your union or professional association, a solicitor, the Police, Children's Social Care or Public Concern at Work (PCaW) a registered charity that offers free and confidential legal advice on workplace malpractice.

whistle@pcaw.co.uk www.pcaw.co.uk

Public Concern at Work
3rd Floor Bank Chambers
6-10 Borough High Street
London
SE1 9QQ
Tel: 0207 404 6609

Ofsted's Whistleblower Hotline (Children and Young people's Services)

There may be times when council employees and those working with young children will want to report to Ofsted about practices and procedures for the safeguarding of children and young people.

Ofsted whistle-blower hotline can be contacted in three ways:

By telephone 0300 123 3155 (Monday to Friday 8am -6pm)

E mail whistleblowing@ofsted.gov.uk

Write to:

WBHL

Ofsted

Royal Exchange Buildings

St Anne's Square

Manchester

M2 7LA

Supporting Documents

This policy is closely related to the following school documents:

- Keeping Children Safe in Education; Statutory guidance for schools and colleges (2016)
- Working Together to Safeguard Children (2015)
- What to do if you're worried a child is being abused (2015)
- Public Information Disclosure Act (1998)
- Information Sharing (DfE: 2015)
- Safeguarding & Child Protection Policy
- Health and Safety Policy
- Behaviour and Anti-bullying Policy
- Comments, Compliments & Complaints Policy & Procedure
- Harassment and Discrimination Policy

Signed (Head Teacher):

Date: April 2018

Signed (Chair of Governors):

Date: April 2018