

# **ST MARY'S RC HIGH SCHOOL**

## **WHISTLEBLOWING (CONFIDENTIAL REPORTING) POLICY**

### **1. INTRODUCTION**

1. Members of staff are often the first to realise that there may be something seriously wrong within St Mary's RC High School (the school). However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may be just a suspicion of malpractice.

2. The school is committed to the highest possible standard of openness, probity and accountability. In line with that commitment, the school expects members of staff and others that we deal with who have serious concerns about any aspect of the school's work, to come forward and to voice those concerns. It is recognised that many cases will have to proceed on a confidential basis.

3. This policy makes it clear that you can do so without fear of victimisation, subsequent discrimination or advantage. This Confidential Reporting Policy is intended to encourage and enable members of staff to raise serious concerns within the school rather than overlooking a problem or 'blowing the whistle' outside.

4. The policy applies to all members of staff and those contractors working for the school. It also covers suppliers and those providing services under a contract with the school.

5. These procedures are in addition to the school's complaints policy and procedures and other statutory reporting procedures.

### **2. AIMS AND SCOPE OF THE POLICY**

6. This policy aims to:

- a. Encourage members of staff to feel confident about raising serious concerns and to question and to act upon concerns about practice;
- b. Provide avenues for members of staff to raise those concerns and to receive feedback on any action taken;
- c. Ensure that members of staff receive a response to their concerns and that they are aware of how to pursue them if not satisfied; and
- d. Reassure members of staff that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

7. There are existing procedures in place to enable members of staff to lodge a grievance relating to their own employment. This policy is intended to cover mayor concerns that fall outside the scope of other procedures. These include:

- a. Conduct which is an offence or a breach of law;
- b. Disclosures that are related to miscarriages of justice;
- c. Health and Safety risks, including risks to the public as well as to other employees;
- d. Damage to the environment;
- e. The unauthorised use of public funds;
- f. Possible fraud and corruption;
- g. Sexual or physical abuse of others; or
- h. Other unethical conduct.

8. Any serious concerns that members of staff have about an aspect of work or the conduct of other members of staff or others acting on behalf of the school can be reported under this policy. This may be something that:

- a. Makes a member of staff feel uncomfortable in terms of known standards, experience or the standards they believe the school subscribes to;
- b. Is against the school's standing orders or policies;
- c. Falls below established standards of practice; or
- d. Amounts to proper misconduct.

### 3. **SAFEGUARDS**

9. The school recognises that the decision to report a concern can be a difficult one to make. If what the member of staff says is true, they should have nothing to fear because they will be doing their duty to the school and those whom the school serves.

10. The school will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect members of staff when they raise a concern in good faith. The Public Interest Disclosure Act 1998 provides additional protection for members of staff who use this policy.

11. All concerns will be treated in confidence and every effort will be made not to reveal the identity if the member of staff so wishes. At the appropriate time, however, the member of staff may need to come forward as a witness.

12. This policy encourages members of staff to put their names to their allegations whenever possible, but concerns expressed anonymously are much less powerful and will be considered at the discretion of the governing body.

13. If a member of staff makes an allegation in good faith but it is not confirmed by the investigation, no action will be taken against the allegor. If, however, an allegation is made

maliciously or for personal gain, disciplinary action may be taken against the individual making the allegation.

#### **4. HOW TO RAISE A CONCERN**

14. As a first step, a member of staff should normally raise concerns with their immediate manager or with the manager of the individual against whom the concern is raised. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if a member of staff believes that their management is involved, they should approach either the headteacher or the Chair of the Governing Body.

15. Concerns may be raised orally or in writing.

16. The earlier a concern is raised, the easier it is to take action.

17. Although members of staff are not expected to prove the truth of an allegation beyond reasonable doubt, they will need to demonstrate to the person they report the allegation to that there are reasonable grounds for their concern.

18. Advice and guidance on how matters of concern may be pursued can be obtained from the Assistant Chief Executive Legal and Democratic at Herefordshire Council who is also the monitoring officer for the council and who has a legal responsibility to ensure that the council and employees act properly at all times.

19. Members of staff may wish to consider discussing their concerns with a colleague first, and they may find it easier to raise the issue if there are 2 or more members of staff who have had the same experience or concerns.

20. Trade unions or friends may be invited to be present during any meetings or interviews in connection with the concerns raised by members of staff.

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

21. The school will respond to concerns that are raised. Do not forget that testing concerns is not the same as accepting or rejecting them.

22. Where appropriate, the concerns raised may:

- a. Be investigated by school management, internal audit, or through the disciplinary process;
- b. Be referred to the police;
- c. Be referred to an external auditor; or
- d. Form the subject of an independent enquiry.

23. In order to protect individuals raising concerns 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 school 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.

24. 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.

25. Within 10 working days of a concern being raised, the responsible person you have contacted will write to you:

- a. Acknowledging receipt of the concern;
- b. Indicating how it is proposed to deal with the matter;
- c. Giving an estimate of how long it will take to provide a final response;
- d. Advising whether any initial enquiries have been made;
- e. Providing information on staff support mechanisms; and
- f. Advising whether further investigation will take place, and if not, why not.

26. The amount of contact between the individuals considering the issues and the person raising the concern will depend on the nature of the concern raised, the potential difficulties involved and the clarity of the information provided. The school will request further information as necessary from the person raising the concern.

27. Where any meeting is arranged, off-site if desired, the person raising the concern can be accompanied by a union, professional association representative or a friend.

28. The school will take steps to minimise any difficulties that an individual raising a concern may have as a result of raising the concern. For example, if required to give evidence in criminal or disciplinary proceedings, advice about the process will be provided if desired.

## **6. THE RESPONSIBLE OFFICER**

29. The headteacher has overall responsibility for the operation and maintenance of this policy. The bursar will maintain a record of concerns raised and their outcomes in a form that does not endanger confidentiality and will report as necessary to the governing body.

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

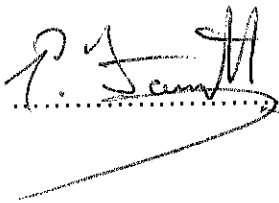
30. This policy is intended to provide staff with an avenue within the school to raise concerns. The school hopes that individuals raising concerns will be content with any action taken. If not, and the person raising a concern feels it is right to take the matter outside the school, the following are possible contact points:

- a. Assistant Chief Executive – Legal and Democratic;
- b. A Trade Union;

- c. Auditors;
- d. Citizens' Advice Bureau;
- e. Relevant professional bodies or regulatory organisations;
- f. Relevant voluntary organisations; or
- g. The police.

If the individual raising the concern does take the matter outside the school, care must be taken not to disclose confidential information.

This policy was approved by the Safeguarding Committee of the governing body at their meeting on 30 January 2019. It will be reviewed every 2 years.



..... Mr Pete Fawcett Chair of Safeguarding Committee