



**Churchdown School Academy**  
ACHIEVING SUCCESS FOR ALL

# Whistleblowing Policy

## Churchdown School Mission Statement

Our mission is to be a school where student development and learning are at the centre of everything we do. Students are expected to strive for personal excellence and demonstrate a commitment to learning as they fulfil their potential. Our community is a nurturing and caring one, where students are encouraged to show compassion, friendship and support towards one another. We aim to provide an education which is fully inclusive, where every child is valued for who they are and who they can become.

At Churchdown School (the "School") the education we provide is guided by the values of integrity, resilience, respect, ambition and tolerance. These values are particularly important to us as we develop the students into lifelong learners and prepare them for a life beyond school.

## 1. Introduction & Purpose of Policy

The School is committed to the highest possible standards of honesty, openness, probity and accountability. It seeks to conduct its affairs in a responsible manner, to ensure that all its activities are openly and effectively managed, and to ensure that the principles of integrity and of public interest disclosure are sustained.

In line with that commitment, all members of staff and those working on behalf of the School who have genuine and legitimate concerns regarding suspected malpractice within the School are encouraged to come forward and voice those concerns under this Policy.

Staff not only have the right, but also a duty, to report any improper actions or omissions, particularly where the welfare of young people may be at risk. Where any member of staff decides to report their concerns within the scope of this policy, whether anonymously or otherwise, their concerns will be taken seriously and investigated as appropriate, and their confidentiality will be respected. Staff members should feel reassured that they could raise concerns in accordance with this policy without fear of victimisation, subsequent discrimination or disadvantage.

This policy aims to:

- Encourage staff to feel confident in raising genuine concerns and to question and act upon concerns about malpractice;
- Provide a clear and simple avenue for staff to raise those concerns and receive feedback on any action taken;
- Ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied;
- Reassure staff that they will be protected from possible reprisals (even if they turn out to be mistaken) or victimisation if they have made any disclosure.

This policy will be applied fairly and consistently, in accordance with the School's obligations under the Equality Act 2010, to all staff employed at the School as well as those carrying out work for the School, for example, governors, volunteers, agency workers, contractors or consultants. The term 'member(s) of staff' is used in this document for simplicity but is intended to include this broader range of individuals covered by this policy.

## **2. Scope of the Policy**

This procedure is separate from the School's adopted procedures regarding grievances. Individuals should not use the whistleblowing procedure to raise grievances about their personal employment situation. If you are uncertain whether something is within the scope of this procedure you should seek advice from the Headteacher.

This policy is intended to cover legitimate concerns regarding suspected malpractice within the School which may fall outside the scope of other procedures, in accordance with the Public Interest Disclosure Act 1998. These may include:

- Conduct which is an offence or a breach of law;
- Failure to comply with a legal obligation;
- Disclosures related to miscarriages of justice;
- Health and safety risks, including risks to the public or students as well as other staff;
- Damage to the environment;
- A miscarriage of justice; and
- Information relating to the above issues that has been, or is likely to be, deliberately concealed.

Examples of the above categories of malpractice may include:

- The unauthorised use or misuse of public funds (including financial irregularities);
- Possible fraud and corruption;
- Bribery;
- Sexual, physical or psychological abuse of students at the School (the School's safeguarding policy should however be the first port of call);
- Harassment & bullying of staff;
- Dishonesty;

- Breaches of codes of conduct; and
- Malpractice in examinations and assessments.

Therefore any genuine concerns that a member of staff has about any aspect of the School's service provision or the conduct of staff or others connected with the School can be reported under this policy, where that member of staff has a reasonable belief in the validity of those concerns. A member of staff who makes such a protected disclosure (known as a whistleblower) has the right not to be dismissed, subjected to any other detriment, or victimised because he/she has raised a genuine and legitimate concern.

If staff and volunteers feel unable to raise an issue with the School or feel that their genuine concerns are not being addressed, they may report their concerns to other whistleblowing channels, such as:

- Protect, an independent whistleblowing charity, previously known as Public Concern at Work (helpline: 020 3117 2502, email: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk), website: [www.pcaw.co.uk](http://www.pcaw.co.uk)).
- The NSPCC whistleblowing helpline (tel: 0800 028 0285 or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)).

### **3. Key Points About Raising Concerns**

#### **3.1 Safeguarding Against Harassment or Victimisation**

It is recognised that the decision to report a concern can be a difficult one to make. The School will take a zero tolerance approach to any act of harassment or victimisation (including informal pressures) resulting from a member of staff raising a genuine concern, and will handle any such allegations in accordance with relevant School policies and procedures.

#### **3.2 Unsubstantiated Allegations**

If a member of staff makes a genuine allegation but it is not confirmed by the investigation, no action will be taken against him/her. If, however, an allegation is found to have been made frivolously, maliciously or for personal gain, disciplinary action is likely to be taken in accordance with the School's Disciplinary Procedure.

#### **3.3 Confidentiality**

The School hopes that staff will feel able to voice whistleblowing concerns openly under this procedure. However, if you wish to raise a concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating the concern to know your identity, this will be discussed with you.

If there is evidence of criminal activity, then the Police will in all cases be informed.

We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more

difficult to establish whether any allegations are credible. Those who are concerned about possible reprisals if their identity is revealed should discuss this with the Headteacher and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are set out above.

#### **4. How to Raise a Concern**

As a first step, a member of staff should normally raise concerns with his/her immediate line manager, with the Headteacher, or with the School's Designated Safeguarding Lead (DSL) where this is appropriate to the nature of the concern. If the allegations involve the Headteacher, the member of staff should raise the matter with the School's Chair of Governors. If the concern is about the Governing Body, you should voice your concerns with the Department of Education (the DfE).

Concerns may be raised verbally or in writing, but the earlier the concern is expressed, the easier it is to take any required action. Members of staff who wish to make a written report are encouraged to include the following information:

- The background and history of the concern, giving relevant dates and providing as much supporting evidence as possible;
- The reason(s) why they are particularly concerned about the situation.

Where a concern is raised verbally, the person hearing it must ensure that a written account of it is made to assist with any subsequent investigation. School management will take all concerns raised within the scope of this policy seriously and identify the appropriate level of investigation.

A meeting will be arranged with you as soon as possible to discuss your concern. The whistle blower may invite a recognised trade union representative or a work colleague to be present during any meetings or interviews held in connection with the concerns raised. The companion must respect the confidentiality of the disclosure and any subsequent investigation. You may be required to attend additional meetings in order to provide further information as the concerns raised are investigated.

#### **5. How the School Will Respond**

##### **5.1 Initial Enquiry**

In order to protect the individuals involved, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take and who should be appointed to conduct it. The overriding principle is that of the public interest. If urgent action is required, for example if the welfare of students may be at risk, this action will be taken before any investigation is conducted. Further to the results of this enquiry, the following steps will be considered:

- Concerns or allegations which fall within the scope of specific procedures, e.g. child protection, bullying or harassment or disciplinary, will normally be referred for investigation and consideration under those procedures;
- Where there are any concerns about financial impropriety or criminal activity, the concern will be referred to an independent body before taking any other action, which may include reporting to the police;
- Concerns indicating unlawful financial activity should be reported to the ESFA;
- Suspected incidents of malpractice relating to examinations will be reported to the appropriate awarding body at the earliest opportunity;
- In other cases, an impartial investigator may be appointed and the school will seek advice from the LEO/ESFA.

## **5.2 Communication**

Within ten working days of a concern being raised, the person who is dealing with the concern will respond in writing to the whistle blower directly. The response will:

- Acknowledge receipt of the concern;
- Indicate how the School proposes to deal with the matter
- Give an estimate of how long it may take to provide a final response;
- Advise whether any initial enquiries have been made;
- Supply information on any staff support mechanisms (e.g. EAP), and
- Advise whether further investigation or action is required, and if not, why not.

## **5.3 Investigation**

Once preliminary enquiries have established the need for an investigation, an appropriate person will be appointed to conduct the investigation (see section 5.1). The person appointed to undertake the investigation is responsible for establishing the facts of the matter, in so far as it is reasonably possible to do so, and for assessing whether the concern has foundation and can be resolved internally. Other people may need to be interviewed to provide further information and/or clarification concerning the issue(s) raised.

Written records of all interviews will be kept throughout the investigation together with details of any action taken. The investigation will result in a written report and recommendations for corrective action, which will be passed to the Headteacher and/or the Chair of Governors, as appropriate to the concerns under consideration, to determine whether formal action shall be taken.

The member of staff raising the concern will, subject to legal constraints, be advised in writing of the outcome of the investigation and, where appropriate and subject to third party rights, what action is being taken. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If the member of staff raising the concern is not satisfied that the concern is being properly dealt with, you have a right to raise it in confidence with the Chair of Governors.

## **6. External Procedures**

This policy is intended to provide members of staff with an avenue to raise concerns internally. Where all internal procedures have been exhausted, a member of staff shall have a right of access to an external person/body. This may include (depending on the subject matter of the disclosure) HMRC, the Audit Commission, the Health and Safety Executive and/or the Local Authority Designated Officer (where the disclosure relates to a child protection issue).

It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a member of staff may be entitled to raise a concern directly with an external body where the individual reasonably believes:

- that exceptionally serious circumstances justify it;
- that the School would conceal or destroy the relevant evidence;
- where they believe they would be victimised by the School; or
- where the Secretary of State has ordered it.

If the member of staff feels it is necessary to take the matter outside the School, contact can be made with a recognised trade union, local Citizens Advice Bureau, relevant voluntary or independent organisations, or legal advisor.

Employees should be aware that going directly to the press may limit their protection under the Public Interest Disclosure Act and they could therefore be subject to disciplinary action. An employee considering such a course of action is strongly advised to seek prior advice from their trade union or an independent organisation such as Public Concern at Work ([www.pcaaw.co.uk](http://www.pcaaw.co.uk))

## **7. Monitoring & Reporting**

The School is responsible for overseeing the operation of this policy and for ensuring that appropriate records are maintained regarding concerns raised and the outcomes. It is also responsible for reporting concerns to other external bodies as appropriate to the circumstances.

### **Contact Details:**

David Potter, Headteacher

Chris Widden, Chair of Governors

Churchdown School, Winston Road, Gloucester, GL3 2RB