



# **Whistle-blowing Policy and Procedure**

**Ratified: September 2015**

**Reviewed by: Full Board 12/12/2019**

The staff and governors of Park Road Primary School seek to run all aspects of school with full regard for high standards of conduct and integrity. In the event that members of school staff, parents, governors or the school community at large become aware of activities which give cause for concern, Park Road Primary School has established the following whistleblowing policy which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

Park Road Primary School is committed to tackling all forms of malpractice and treats these issues seriously. Park Road Primary School recognises that some concerns may be extremely sensitive and has therefore developed a system which allows for the confidential raising of concerns within the school environment but also has recourse to an external party outside the management structure of the school. Park Road Primary School is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

## 1. Aims

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated and that their confidentiality will be respected
- Let all staff in the school know how to raise concerns about potential wrongdoing in or by the school
- Set clear procedures for how the school will respond to such concerns
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the trust in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

## 2. Legislation

The requirement to have clear whistle-blowing procedures in place is set out in the Academies Financial Handbook. This policy has been written in line with the above document, as well as government guidance on whistle-blowing. We also take into account the Public Interest Disclosure Act 1998. This policy complies with our funding agreement and articles of association.

### **3. Definition of whistle-blowing**

Whistle-blowing covers concerns made that report wrongdoing that is “in the public interest”. Examples of whistle-blowing include (but aren’t limited to):

- Criminal offences, such as fraud or corruption
- Pupils’ or staffs’ health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the school count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

When staff have a concern they should consider whether it would be better to follow our staff grievance or complaints procedures.

### **4. Procedure for staff to raise a whistle-blowing concern**

#### **4.1 When to raise a concern**

Staff should consider the examples in section 3 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or school procedures, put people in danger or was an attempt to cover any such activity up.

#### **4.2 Who to report to**

Staff should report their concern to the Headteacher. If the concern is about the Headteacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the chair of the Governing Body.

#### **4.3 How to raise the concern**

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

### **5. Procedure for responding to a whistle-blowing concern**

#### **5.1 Investigating the concern**

When a concern is received by the Headteacher - referred to from here as the ‘recipient’ - they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative
- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- 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 (see section 6 of this policy)

- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
  - The recipient should then arrange a further investigation into the matter. In some cases, they may need to bring in an external, independent body to investigate. In others 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

## **5.2 Outcome of the investigation**

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 ESFA, local authority or police.

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.

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.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

## **6. Malicious or vexatious allegations**

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the school will consider whether any disciplinary action is appropriate against the person making the allegation.

## **7. Escalating concerns beyond the trust**

The school encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included in the appendix.

## **8. Links with other policies**

This policy links with our policies on:

Staff grievance policy

Complaints procedure

Safeguarding policy

## Appendix

### **Her Majesty's Chief Inspector of Education, Children's Services and Skills ('the Chief Inspector')**

Contact them about matters relating to the welfare of children provided with accommodation by boarding schools, colleges and residential special schools.

The Chief Inspector  
Ofsted  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD  
Tel: 0300 123 3155  
Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)

### **Office of Qualifications and Examinations Regulation (Ofqual)**

Contact them about matters in relation to which the Office of Qualifications and Examinations Regulation exercise functions under the Apprenticeships, Skills, Children and Learning Act 2009.

Whistleblowing and malpractice  
Complaints investigation manager  
Ofqual  
Earlsdon Park  
53-55 Butts Road  
Coventry  
CV1 3BH  
Tel: 0300 303 3344  
Email: [whistleblowing@ofqual.gov.uk](mailto:whistleblowing@ofqual.gov.uk)  
Online form: [www.smartsurvey.co.uk/s/ofqual-whistleblowing/](http://www.smartsurvey.co.uk/s/ofqual-whistleblowing/)

### **Secretary of State for Education**

Contact them about matters relating to the following educational institutions in England:

- maintained schools
- maintained nursery schools
- independent schools
- academies and free schools
- non-maintained special schools
- pupil referral units
- alternative provision academies
- 16-19 academies (and free schools)
- an institution within the further education sector
- special post-16 institutions

Ministerial and Public Communications Division  
Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD  
Tel: 0370 000 2288  
Website: [www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)