Whistleblowing Policy (Formerly Confidential Reporting Policy)

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Policy history:

Approved by:		**Date:**
Last reviewed on: **Lent Term 2021**	**Next review due:** **Lent Term 2026/27**	
Version	**Internal**	

Linked policies and procedures:

Policy Name
Staff Code of Conduct
Staff Discipline, Grievance and Capability Policy
Communications Policy

Context

As Christ is the foundation of the community of St. Paul's we must follow his example of accepting all and treating each person with respect. Each person is equally important because each is a child of God and redeemed by Christ.

At St. Paul's we, the staff and governors of the school, aim to foster a safe working environment where openness and honesty are valued in both staff and pupils.

In any working environment staff are often the first to realise that there may be something wrong within the organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation as a whole. In some circumstances they may also fear harassment or victimisation. In these situations it may be easier to ignore the concern rather than report what may be a suspicion of malpractice.

St. Paul's is committed to ensuring the highest possible standards of openness, probity and accountability. In line with that commitment, we encourage staff and others with concerns about any aspect of our work, to come forward and voice those concerns.
It is recognised that certain cases will have to proceed on a confidential basis. The code of practice set out in this policy makes it clear that staff can make reports without fear of reprisals. This policy is intended to encourage and enable staff to raise serious concerns within the school rather than overlooking problems or raising them outside of the school context.

Aims

At St. Paul's we aim to:

- Encourage staff to feel confident in raising concerns and to question and act upon any concerns they have about practice
- Provide avenues for staff to raise concerns and receive feedback on any action taken
- Ensure that staff receive a prompt response to their concerns
- Allow staff to take the matter further if they are dissatisfied with the response that they receive to the concerns expressed
- Reassure staff that they will be protected from possible reprisals or victimisation, if they have a reasonable belief that they have made a disclosure in good faith.

For the avoidance of doubt, if a member of staff has concerns that any person may be being mistreated/abused then concerns can be discussed in confidence with:

- The Headteacher
- The Chair of Governors (chair@gov.st-pauls.org.uk)
- Protect
    - Whistleblowing Advice Line: 020 31172520
    - Website: www.protect-advice.org.uk

There are existing procedures in place to enable staff to lodge a grievance relating to their own employment. This Whistleblowing Policy is intended to cover concerns that fall outside the scope of the grievance procedure, therefore it covers any serious concern that a member of staff has about any aspect of service provision or the conduct of officers or members of staff or others acting on behalf of the school can and should be reported under this policy.

This concern may be about something that is:

- an offence or breach of law
- a disclosure related to miscarriages of justice
- a health and safety risk, including a risk to the public as well as other employees
- damage to the environment
- an unauthorised use of public funds
- possible fraud and corruption
- sexual, physical or emotional abuse
- against established standards of practice
- other improper or unethical conduct; or

The concern may be something that makes the member of staff feel uncomfortable in terms of known standards, their experience or the standards to which they believe the School subscribes. The provisions in this policy do not cover issues directly related to Safeguarding and Child Protection and staff who believe that there is a Child Protection implication should refer to the procedures outlined in the school's current Safeguarding and Child Protection Policy.

This policy incorporates the provisions that are required from the Public Interest Disclosure Act 1998.

Supporting the Individual to Raise a Concern

Harassment or Victimisation

At St. Paul's we recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those who may be guilty of malpractice or from the School as a whole. At St. Paul's we will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action in order to protect a person who raises a concern in good faith. Any investigation into allegations of potential malpractice raised by an individual, will not influence or be influenced by any additional procedures that already affect the individual.

It is the clear instruction to anyone who has cause to liaise with whistleblowers that they shall not release information to identify a whistleblower to any person within the school and will only release those details to a proper person outside the school when there is a legal requirement to do so, eg a court order. The only exception to this shall be where the whistleblower themselves gives written permission to do so.

Any person applying pressure upon such officers to identify whistleblowers shall be subject to the same provisions as outlined below.

Each case will be considered on its merits. Anyone found to have victimised or harassed someone who has made a referral under this policy would normally be considered as a matter of committing Gross Misconduct.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal the identity, if that is the wish of the individual. However, it must be appreciated that any investigation process may reveal the source of the information and that the individual may need to come forward as a witness and provide a statement, as part of the evidence or in order to pursue the complaint.

Anonymity

At St. Paul's we encourage members of staff who raise concerns to put their name to their allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Headteacher. In exercising this discretion, the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of obtaining the necessary information

Untrue Allegations

St. Paul's will protect itself and its staff from false and malicious expressions of concern by taking disciplinary action where appropriate. If a concern, which is genuinely believed, proves to be unfounded on investigation, no action will be taken against the member of staff. We will try to ensure that the negative impact of either a malicious or unfounded allegation about any person is minimised. However, we acknowledge that it will not be possible to prevent all of the repercussions potentially involved. Vexatious or malicious allegations made by staff may lead to the person responsible for the allegation becoming subject to disciplinary procedures.

Any individual who makes an allegation in good faith, but which is not subsequently confirmed by the investigation, will have no action taken against them and will continue to have protection under this policy from victimisation or harassment.

How to Raise a Concern

When an individual wishes to raise a concern, he or she will need to identify the issues carefully. They must be clear about the standards against which they are judging practice.

Whilst not exhaustive they should consider the following:
• Is it illegal?
• Does it contravene professional codes of practice?
• Is it against government guidelines?
• Is it against the School's guidelines?
• Is it about one individual's behaviour or is it about general working practices?
• Does it contradict what the employee has been taught?
• Has the employee witnessed the incident?
• Did anyone else witness the incident at the same time?

Concerns should normally be raised with the individual's line manager. However, the most appropriate person to contact will depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.
If a member of staff believes that a member of Leadership Group is involved in the matter of concern, an approach should be made to the Headteacher or Chair of the Governing Board. In other cases, concerns may normally be made using the usual line management channels.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- the background and history of the concern (giving relevant dates);
- the reason why the member of staff is particularly concerned about the situation.

If the individual wishes, they may ask for a private meeting with the person to whom they wish to make the complaint and can be accompanied if they wish. An employee may invite their trade union or professional association representative or work colleague to be present during any meetings or interviews in connection with the concerns they have raised.
When making a complaint verbally, the individual should write down any relevant information and date it. They should keep copies of all correspondence and relevant information.

It should be noted that often the earlier a concern is expressed the easier it is to take appropriate action.

Although staff are not expected to prove the truth of an allegation that is made, it will be necessary to demonstrate to the person contacted that there are sufficient grounds for concern. It is not necessary for any person to undertake investigations into their concern prior to contacting the school as this may undermine any ultimate action needing to be taken.

Where a person feels that they cannot approach anyone in the School, they may wish to report their concerns through the external independent reporting scheme called 'Protect'.

Protect are an independent charity providing a legal advice service designated by the Bar Council and information provided to Protect is protected under the Public Interest Disclosures Act. Their helpline number is 02031172520. A written message can also be left via www.protect-advice.org.uk where their lawyers provide confidential advice free of charge.

Advice and guidance on how specific matters of concern may be pursued can be obtained from trade unions or professional associations.
Staff may wish to consider discussing their concerns with a colleague first and may find it easier to raise the matter if there are two (or more) of them who have had the same experience or concerns.

How the School will Respond

The action taken by the school will depend on the nature of the concern. Where appropriate, the matters raised may:

- be investigated by Leadership Group
- be referred to the Chair of Governors
- be referred to the police
- form the subject of an independent inquiry.

In order to protect individuals and the School, an initial investigation will be carried out to decide whether a full investigation is appropriate and, if so, what form it should take. 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.

It should be noted that some concerns may be resolved by agreed action without the need for investigation. Equally some issues may be investigated without the need for initial enquiries. If urgent action were required, this would be taken before any investigation is conducted.

If a concern is expressed in writing then within 3 working days of that concern being raised, the Headteacher will write to the person raising the concern

- acknowledging that the concern has been received,
- indicating how it proposes to deal with the matter,
- giving an estimate of how long it will take to provide a final response
- telling the person whether any initial enquiries have been made
- supplying the person with information on staff support mechanisms
- telling the person whether further investigations will take place and, if not, why not.

A fuller response will be provided within 10 working days. Every effort will be made to resolve the matters raised as soon as possible, in the interests of the School, the person raising the concern and the person(s) being investigated.

The amount of contact between the individual considering the issues and the member of staff raising the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information may be sought from the person raising the concern.

The School will take appropriate steps to minimise any difficulties, which a member of staff may experience as a result of raising a concern. For example, if staff are required to give evidence in criminal or disciplinary proceedings, the School will need to inform them and consider what steps are required to provide support. Such support may include the ability to give evidence via video link.
The School accepts that staff raising a concern need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, the person raising the concern will receive as much information as possible as the investigation progresses.

How the Matter Can Be Taken Further

This policy is intended to provide staff with an avenue to raise concerns within the School. However, if a member of staff is dissatisfied with the School's response, she or he can raise the matter with the Chair of Governors.
Alternative possible contact points are:
• Relevant professional bodies or regulatory organisations
• A solicitor
• The Police

In taking a matter of concern outside the School, staff should ensure that, so far as possible, it is raised without confidential information being divulged and would, other than in exceptional circumstances, be expected to have exhausted the internal routes available first.

Roles and Responsibilities

The responsibility for the operation of this policy rests with the Headteacher to ensure all staff are fully aware of its provisions.

Investigations should be undertaken by appropriate staff with expertise and will be dependent upon the issue raised. We will ensure that investigations are swift and effective and undertaken by someone with relevant skills and experience.

The Governors will lead on allegations regarding serious misconduct of school employees.

Employees: In all contracts of employment there is an implied understanding of mutual trust and confidence between the employer and employee.
All employees, therefore, have a responsibility to raise concerns about work and they may do so in the manner described in this policy.

Line Managers: Must create an open and fair culture within their area of responsibility and ensure that staff concerns are listened to and action taken where necessary.

Line managers are responsible for ensuring that there is a safe environment for staff to raise their concerns and that there is no retribution as a result of someone raising their concern.

Review: **2026/27 by Leadership Team for presentation to Governors' Resources and Personnel Committee**