Manor Park

Primary School

Whistleblowing Policy

Please read in conjunction with Child Protection Policy and KCSIE Part 1

Date of Last Review: September 2022

Agreed by Governors: September 2022

Shared with all Staff: September 2022

Frequency of Review: Annually

Date of Next Review: September 2023

Designated Safeguarding Lead: Jill O'Connor - Headteacher

Deputy Designated Safeguarding Lead: Rebekah Hodt – Deputy Headteacher, Deb Perkins – Lead Learning Mentor, Jennie Haines – Learning Mentor

Named Governor for Safeguarding & Child Protection: Richard Drudge

Local Authority Designated Officer (LADO), for allegations against staff: LADO@coventry.gov.uk Tel: 02476 833443

Chair of Governors: Sarah Leigh
Email: s_leigh@manorpark.coventry.sch.uk

Vice-Chair of Governors: Rebecca Carr
Email: r_carr@manorpark.coventry.sch.uk

1. Introduction

1.1 Whistleblowing has been defined as:
'the disclosure by an employee or professional of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the work place, be it of the employee or his/her fellow employees'

1.2 Statutory protection for employees who whistleblow is provided by the **Public Interest Disclosure Act 1998 ("PIDA")**. The PIDA protects employees against victimisation if they make a protected disclosure within the meaning of the PIDA and speak out about concerns about conduct or practice within the school which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice.

1.3 This policy applies to all school staff including full and part time, casual, temporary, substitute staff and to individuals undertaking work experience in the school.

2. Aims and Scope of Policy

2.1 The governing body is committed to high standards in all aspects of the school and will treat whistleblowing as a serious matter. In line with the governing body's commitment to openness, probity and accountability, members of staff are encouraged to report concerns which will be taken seriously, investigated and appropriate action taken in response.

2.2 This policy aims to:
• give confidence to members of staff about raising concerns about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice or is inconsistent with school standards and policies so that s/he is encouraged to act on those concerns
• provide members of staff with avenues to raise concerns
• ensure that members of staff receive a response to the concerns they have raised and feedback on any action taken
• offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken in good faith and within the meaning of the PIDA.

2.3 This policy covers whistleblowing relating to alleged:
• unlawful conduct
• miscarriages of justice in the conduct of statutory or other processes
• failure to comply with a statutory or legal obligation
• potential maladministration, misconduct or malpractice
• health and safety issues including risks to the public as well as risks to pupils and members of staff
• action that has caused or is likely to cause danger to the environment
• abuse of authority
• unauthorised use of public or other funds
• fraud or corruption
• breaches of financial regulations or policies
• mistreatment of any person
• action that has caused or is likely to cause physical danger to any person or risk serious damage to school property
• sexual, physical or emotional abuse of members of staff or pupils
• unfair discrimination or favouritism
• racist incidents or acts, or racial harassment and
• any attempt to prevent disclosure of any of the issues listed.

2.4 The PIDA sets out the full statutory rights and obligations of members of staff wishing to whistleblow.

3. Safeguard Against Reprisal, Harassment and Victimisation

3.1 The governing body will not tolerate harassment or victimisation of members of staff when matters are raised in accordance with the PIDA provisions. Any member of staff who victimises or harasses a member of staff as a result of their having raised a concern in accordance with the whistleblowing policy will be dealt with under the governing body's staff disciplinary procedures.

4. Confidentiality

4.1 The governing body recognises that members of staff may want to raise concerns in confidence and will do its utmost to protect the identity of members of staff who raise a concern and do not want their name disclosed.

4.2 However investigation into the concern could reveal the source of the information; and statements may be required from the member of staff as part of the evidence, which would be seen by all parties involved. If the investigation leads to prosecution and the whistleblower is likely to be called in to give evidence in court.

5. Anonymous Allegations

5.1 Staff should put their name to allegations whenever possible – anonymous concerns are much less powerful. Nonetheless anonymous allegations may be considered under this whistleblowing procedure especially concerns raised relating to the welfare of children. In relation to determining whether an anonymous allegation will be taken forward the governing body will take the following factors into account:

- the seriousness of the issue raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources, and obtaining information provided.

6. Untrue and Malicious/Vexatious Allegations

6.1 If a member of staff makes an allegation in good faith but it is not confirmed by further inquiry the matter will be closed and no further action taken. If, however, the inquiry shows that untrue allegations were malicious and/or vexatious or made for personal gain then the governing body will consider taking disciplinary action against the member of staff.

7. Allegations Concerning Child Protection Issues

7.1 If a member of staff raises a concern related to a child protection issue, the Headteacher or Chair of Governors (if the concern is about the Headteacher) should urgently consult the LA officer designated to lead on child protection (Local Authority Designated Officer: **LADO 02476 833443 or LADO@coventry.gov.uk**). However, in relation to child protection issues, it is open to the member of staff to make a direct referral to the social services designated manager either before raising their concern with the governing body or where the headteacher or chair of governors fails to do so after raising their concern and the member of staff remains concerned about the situation.

It is essential that staff know what to do if they feel that safeguarding practice isn't good enough.
Manor Park operates a culture of safeguarding across the whole school community, and all staff should report any concerns about poor or unsafe practice, or Manor Park's safeguarding processes to the Headteacher, Deputy Headteacher or a member of SLT. Concerns should be expressed in writing.
All concerns will be taken seriously.

In the event that a member of staff is unable to raise an issue with senior leadership in school, they should refer to **Part 1 of Keeping Children Safe in Education** for additional guidance on whistleblowing procedures. The LA Local Authority Designated Officer for Child Protection (LADO) must be contacted as a matter of urgency: **02476 833443 or LADO@coventry.gov.uk.**

8. Procedure for Making a Whistleblowing Allegation

8.1 Concerns should be expressed in writing to the Headteacher. If the concerns involves the Headteacher then the Chair of Governors should be the first point of contact. It is expected that the person receiving the allegation will become the investigating officer. However it is at the discretion of this person to delegate the investigation to another person if they feel this is appropriate.

8.2 If you feel you cannot express your concerns within the school, it is open to you to raise your concern with someone outside the school setting from the list of organisations in the section of this policy 'Taking the Matter Further'. However it would usually be expected that the Chief Education Officer would be the person to whom you express your concerns outside of the school.

8.3 Where the concern relates to a child protection matter, if you do not want to raise this through the school, you must consult the LA officer designated to lead on child protection, LADO, or if that person is not available, the local authority's designated social services manager for child protection. If the concern needs to have Police or other statutory authority involvement, the whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

8.4 Your concern should be in writing for the avoidance of doubt. You should set out the background and history of the concern; giving names, dates and places where possible, and explaining the reason for your concerns. If you feel unable to put the matter in writing you can still raise your concern verbally and should telephone or arrange to meet the appropriate person. You can also ask your trade union or professional association to raise the matter on your behalf or to support you in raising the concern.

9 Response to Whistleblowing

9.1 The matter raised may:
• need inquiry internally in the school
• need to be passed to the Police if it relates to alleged criminal activity
• need to be passed to the person in the LA who deals with complaints about financial management or financial propriety in schools.
• need to be referred to the LA officer designated to lead on child protection if there is a concern relating to child protection, or if that person is not available the local authority's designated social services manager for child protection.

9.2 At this stage concerns/allegations are neither accepted nor rejected.

10. Timescale for Response

10.1 You will normally receive a written response within 5 working days (except in the case of anonymous allegations):
• acknowledging that the concern has been received
• indicating how it is proposed to deal with the matter
• giving an estimate of how long it will take to provide a final response
• advising whether any enquiries have been made
• advising whether further enquiries will take place
• informing you of support available whilst matters are looked into, and

• maintaining confidentiality wherever possible, but also explaining that it may not be possible that you can remain anonymous.

11. The Inquiry Process

11.1 The investigation officer will:
• look into the allegation - seeking evidence and interviewing witnesses as necessary.
• maintain confidentiality wherever possible but will be mindful that there is no guarantee that the whistleblower can remain anonymous.
• if appropriate, bring the matter to the attention of the LA person dealing with complaints about financial management of schools.
• if appropriate, for concerns of criminal behaviour refer the matter to the Police.
• if appropriate, for concerns of child protection, refer the matter to the LA officer designated to lead on child protection/local authority social services designated manager for child protection. The whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

11.2 If the investigating officer needs to talk to you, you are permitted to be accompanied by a trade union or professional association representative or a fellow member of staff not involved in the area of work to which the concern relates.

11.3 The target is to complete the inquiry within 15 working days from the date of the initial written response, although the enquiry may extend beyond this timescale.

12. The Inquiry Report

12.1 Following completion of the inquiry process the investigating officer will make a written report and if necessary action will be taken. This may result in a trigger for the grievance and/or disciplinary procedure to be implemented against the person reported. The whistleblower will also be notified of the outcome. The report will not contain the whistleblower's name unless you have expressly stated that you wish to be named.

12.2 If the investigation was carried out by a person other than the Headteacher or Chair of Governors the written report must be submitted to the Headteacher and Chair of Governors to determine what further action (if any) is required. When considering further actions, the Headteacher and Chair of Governors **must** act on any recommendations made in the report. If the Headteacher and Chair of Governors cannot agree on further actions, a panel of three governors (excluding the Headteacher, Chair of Governors and any governors employed at the school) will be convened to consider the report and agreed further actions.

12.3 Following completion of the investigation, and any actions arising from the investigation, a copy of the report (anonomised) will be made available to all governors.

13. TAKING THE MATTER FURTHER

13.1 If no action is to be taken and/or you are not satisfied with the way the matter has been dealt with, you can make a complaint under the governing body's complaints procedure or raise your concerns with other organisations as listed below:
• the local authority
• a relevant professional body or regulatory organisation (eg GTCE General Teaching Council for England)
• the Children's Commissioner for England
• the Public Services Ombudsman for England
• the Care Inspectorate

• a solicitor
• the Police - for concerns of criminal behaviour
• a trade union or professional association
• Protect (formerly Public Concern at Work) - an independent charity that provides free advice for persons who wish to express concern about fraud and other serious malpractice. Telephone 020 3117 2520 or email: whistle@protect-advice.org.uk

Advice can also be sought from NSPCC on the Whistleblowing Advice Line: 0800 028 0285