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# SAINT NICHOLAS SCHOOL

## WHISTLE BLOWING POLICY

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Note: This policy applies to all sections of the school including E YFS

Reviewed September 2016

Review Date September 2018

The school is committed to ensuring that any concerns or allegations of malpractice within the organisation are taken seriously. Employees are asked to bring any such allegations to the School's immediate attention. Ensuring a culture of critical reflection and of sharing concerns is in the best interests of the School, its pupils, its staff and the public.

This policy sets out the ways in which employees should bring any concerns to the attention of the School, and explains how and in what circumstances to raise concerns outside the School to appropriate external bodies.

This policy takes into account the protection for employees, who bring matters of public interest to the attention of their employers or outside bodies, which is provided by the Public Interest Disclosure Act 1998.

### **1. Matters covered by this policy**

Employees are asked to raise their concerns in accordance with this policy, about any of the following matters which they think are or may be taking place within the School:

- Fraud
- Safeguarding / Child abuse
- Malpractice (e.g. financial irregularities, corruption, bribery, dishonesty)
- Commission of criminal offences
- Failure to comply with legal obligations
- Miscarriage of justice
- Dangers to Health and Safety
- Dangers to the environment
- Unethical conduct

The list is not intended to be exhaustive. Employees are asked to raise any other concerns which they may have about matters which they believe threaten the interests of the School, its pupils, its staff or the public.

This procedure is not a substitute for the School's grievance procedure, and concerns about an employee's personal employment situation should be raised through the grievance procedure in the normal manner.

## **2. Procedure for bringing these concerns to the attention of a responsible person**

Concerns which employees may have should be raised internally within the School in the first instance. The Headteacher is responsible for instigating the investigation of such matters in accordance with the School's policies and procedures. Concerns may be raised orally or in writing. Usually a meeting will be held with the person investigating the matter who will then carry out a further investigation depending on the nature of the concerns raised by the employee. The employee will be informed as far as possible about the outcome of the investigations, subject to the rights of any third parties which may be respected.

If the employee is not satisfied that their concerns are being dealt with satisfactorily, the employee can then raise the issue with the Chairman of Governors, who may either deal with the matter himself or nominate another Governor to deal with the matter. A further investigation will then be carried out and the employee will be informed of the outcome as far as is possible, subject to the rights of any third parties.

If after exhausting the internal procedures set out above the employee remains dissatisfied with the way in which their concerns have been dealt with, the employee is entitled to raise the issue externally. This should be done by taking the concerns to an external regulatory body (for example, professional associations and trade unions, external auditors, the Department for Education and Skills, the Health and Safety Executive). The employee should raise the matter with the external body which is appropriate to the subject matter to the disclosure.

For safeguarding / child protection issues an employee should refer their concerns to the Designated Safeguarding Lead in the first instance following the procedures outlined in the school's Safeguarding / Child protection Policy. Where an employee is disturbed about poor or unsafe practice and potential failures in the school's safeguarding regime the Chair of Governors should be contacted.

If, after exhausting these internal procedures the employee remains concerned with how a child protection / safeguarding issue has been dealt with, the relevant external bodies should be contacted ie Essex Local Safeguarding Board.

Employees should not raise concerns with external bodies other than official regulatory bodies except in exceptional circumstances where the matter has already been raised with the School and an official external body but not satisfactorily resolved, or the employee has reasonable grounds for believing that he will be penalised for making a disclosure, to the School, or regulatory body, or he believes that evidence would be concealed or destroyed or if the failure is of an exceptionally serious nature. In these circumstances the employee must act reasonably, and in particular should think carefully about the seriousness of the allegations and the identity of the person or body with whom the concerns are going to be raised. For example, it would usually be more appropriate to bring concerns to the attention of the Police, a local M.P. or local councillor rather than to the press.

### **3. Confidentiality**

Employees need to be sure that they can raise concerns about matters within the School in confidence and without fear of reprisals. Therefore all matters raised by employees under this procedure will be treated as strictly confidential. Names of employees making such allegations will not be revealed to those against whom any allegations are being made without the employee's prior consent.

The School will also take all reasonable steps to ensure that employees who have raised concerns under this procedure will not be victimised in any way by fellow employees or other members of the School. The School itself will not penalise employees in any way for raising concerns or making allegations in good faith in accordance with this procedure. The Public Interest Disclosure Act 1998 provides employees with specific protection against victimisation by their employers for making disclosures in accordance with that Act, upon which this policy is based.

Victimisation or other unfavourable treatment of an employee, pupil or other member of the School because that person has raised concerns under this policy or in order to deter that person from raising such concerns will be treated as a serious disciplinary offence under the School's disciplinary procedure.

### **4. Abuse of the policy**

As outlined above, employees and other members of the School will be protected by the School against any victimisations as a result of proper use of the procedure laid out in this policy. However, the School will take abuse of the procedure extremely seriously. If an employee abuses this procedure in order to make false or malicious allegations, this will be treated as a serious disciplinary offence under the School's disciplinary procedure, which may result in disciplinary action being taken against the employee up to and including dismissal from employment.