



Whistle Blowing Policy and Procedures

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Pupils are given many opportunities to serve each other, the school and the wider community, developing their own skills and talents in the process.



Section 48 Diocesan Inspection October 2018

“Pupils make rapid progress because they are very keen to learn, and because the teaching is highly effective ... Behaviour is excellent. Pupils get along very well and enjoy school, accepting one another’s different views...”



Ofsted March 2013

At St Margaret Clitherow School we are committed to Safeguarding Children

*Jesus lives in us, our families, our school, our Church, our world. Jesus is our guide,
let us follow Him*

1. Introduction

The aim of this Policy is to encourage employees and others who have serious concerns about any aspect of the School to voice those concerns and feel secure in doing so.

It is important that any fraud, misconduct or wrongdoing is reported and properly dealt with. The School encourages all individuals to raise any concerns they may have about the conduct of others or the way in which the School is run.

The School is committed to the principles of honesty and integrity. A culture of openness and accountability is critical to ensuring these values are authentically lived by.

This policy applies to all employees, workers, agency staff, contractors, service providers, volunteers, and governors of the School.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

2. Scope

If your concern relates to how you have been treated this should be raised under the grievance or bullying and harassment policies.

The whistleblowing policy will not replace any existing policies or procedures. If misconduct is discovered as a result of any investigation under this policy the School's disciplinary policy will be used.

The School encourages individuals to disclose any concerns they may have regardless of whether they are covered by this or another policy.

3. What is whistleblowing?

Whistleblowing means the reporting of information which relates to actual or suspected wrongdoing related to a "qualifying disclosure".

Qualifying disclosures are disclosures of information where the worker reasonably believes (and it is in the public interest) that one or more of the following matters is either happening, has taken place, or is likely to happen in the future.

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- Deliberate attempt to conceal any of the above.

If a worker is going to make a disclosure it should be made to the employer first, or if they feel unable to use the organisations procedure the disclosure should be made to a prescribed person, so that employment rights are protected.

It is not necessary for a whistleblower to have proof of such an act for the protections of this policy to apply.

Potential whistleblowers are encouraged to seek support from a senior manager or their trade union representative if they are unsure whether to make a disclosure or to access support in making a disclosure, regardless of whether it is qualifying or not.

4. Protections for whistleblowers

This policy has been written to take account of the Public Interest Disclosure Act 1998 and other relevant legislations, which protects workers making disclosures.

A whistleblower who makes a qualifying disclosure has the right not to be dismissed, subjected to any detriment or victimised, because they have made a disclosure.

Victimisation of a whistleblower for raising a qualifying disclosure will be a disciplinary offence.

The School will not dismiss anyone on the basis that they have made an appropriate lawful disclosure in accordance with the law and this policy.

Whistleblowers may seek support and advice from organisations such as the whistle blowing charity Protect (<https://protect-advice.org.uk> / 020 3117 2520) or ACAS (www.acas.org.uk).

5. Obligations for the whistleblower

An instruction to cover up wrongdoing is in itself a disciplinary offence. A whistleblower who is told not to raise or pursue any concern, even by a person in authority, should not agree to remain silent.

Whistleblowing to an external agency without first using the procedure below may be considered a breach of the School's Code of Conduct.

It is not appropriate to whistle blow to the media in any circumstances and may be considered gross misconduct.

Maliciously making a false allegation is a disciplinary offence

6. Confidentiality

The School encourages individuals to voice their concerns openly. If anyone wishes to raise concerns confidentially, the School will make every effort to keep their identity secret.

The School will consult with the whistleblower before divulging their identity to any party, including an investigator.

The School does not encourage anonymous disclosures as this may makes it harder to establish the credibility of an allegation and may make investigation difficult or impossible. Anonymous concerns will be taken seriously and investigated as far as is possible under this policy.

7. The School's commitment

Any matter raised under this policy and procedure will be investigated thoroughly, promptly and confidentially.

Whilst the school will aim to keep the employee informed of the progress of the investigation and likely timescales, sometimes the requirement for confidentiality will prevent full information about the investigation and any consequential disciplinary action from being disclosed

8. Obligations for the Governing Board

An appropriate representative of the School (Headteacher or named governor) will inform Hertfordshire County Council as the maintaining authority of any qualifying disclosures at the earliest opportunity.

Concerns regarding financial irregularity will be reported to the Shared Internal Audit Service (SIAS); where concerns relate to child protection these will be handled in keeping with the relevant policy of the School and reported to the Local Authority Designated Officer (LADO) where the threshold is met.

9. Whistleblowing procedure

9.1. Stage 1 – Disclosure

The whistleblower should initially raise their concern to their line manager. They may do this orally or in writing.

If the concern relates to the line manager or any person to whom they report (other than the Headteacher) the whistleblower should raise the issue with the Headteacher.

If the concern relates to the Headteacher, the whistleblower should raise this with the Governor or employee named at the end of this policy.

9.2. Stage 2 – Investigation

The School will arrange an investigation into the concerns raised. This will take place as soon as is reasonably practicable.

The investigation may involve the whistleblower and other individuals involved meeting with the investigator and giving a written statement.

At any investigatory meetings the whistleblower is entitled to be accompanied by a recognised trade union representative or a work colleague.

9.3. Step 3 – Report to Headteacher/Governors

The investigator will report to the named representative of the Governing Board before any further action is taken. The representative of the Governing Board will decide on potential outcomes including, but not limited to:

- invoking the School's disciplinary process, or other relevant policy
- referral to the police, Hertfordshire County Council department, government department or regulatory agency
- no further action.

On conclusion of any investigation, the whistleblower will, as far as is practicable and where it is reasonable to do so, be told the outcome of the investigation and what the School has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

9.4. Step 4 – Escalation.

If, on conclusion of stages 1, 2 and 3 the whistleblower reasonably believes that the appropriate action has not been taken, they should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- the Financial Conduct Authority (formerly the Financial Services Authority)
- the Health and Safety Executive
- the Environment Agency
- Her Majesty's Chief Inspector of Children's services and skills
- the Secretary of State for Education
- the Office of Qualifications and Examinations Regulator.

A full list can be obtained from the charity, Protect or the BEIS (Department for Business, Energy and Industrial Strategy) website. Alternatively, an employee may contact their professional association or trade union representative for guidance.

10. Data Protection

When an individual makes a disclosure, the school will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

11. Contacts

SCHOOL

Headteacher: Carmela Puccio
Tel: 01438 352863
Email: head@clitherow.herts.sch.uk

Chair of Governors: Sally Curtis
Tel: 01438 248863
Email: s.curtis@clitherow.herts.sch.uk

Director of Education WESTMINSTER DIOCESE EDUCATION SERVICE

Vaughan House
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020 7798 9005

Herts HR (HCC)
Assistant Director
Tel: 01992 556653

Herts for Learning
Head of HR
Tel: 01438 844873

Legal, Member & Statutory Services
Chief Legal Officer
Tel: 01992 555527

County Internal Audit
Head of Assurance Services
Tel: 01438 845502

NSPCC:
help@nspcc.org.uk
0808 800 5000

EMERGENCY SERVICES: 999

Hertfordshire Safeguarding Children Board Team
County Hall
Phone: 01992 588757

Herts HR (for Maintained Schools and ESCs)

Assistant Director
Tel: 01992 556653

Legal, Member & Statutory Services -

Chief Legal Officer
Tel: 01992 555527

County Internal Audit

Head of Assurance Services:
Tel: 01438 845502

Or via your professional association or trade union representative.

Or the independent whistleblowing charity Public Concern at Work;
Helpline (020) 7404 6609
E-mail: whistle@pcaw.co.uk