



**Cleves School**  
Learning Together

# **WHISTLEBLOWING POLICY 2021-22**

Last Reviewed	September 2021
Reviewed by	The Resources Committee on behalf of The Board of Trustees of Cleves School
Review cycle	Annual
Next review date	Autumn Term 2022

# WHISTLEBLOWING POLICY

## 1. Introduction

All staff, at one time or another, have concerns about what is happening at work. More often than not, these concerns are relatively minor and can be easily resolved. Openness, probity and accountability are vital components of public service. Employees who discover lapses in these areas must be encouraged to come forward and disclose their concerns to someone who can be trusted to take action. This process is known as 'Whistleblowing'.

These issues will be taken seriously and treated in a confidential manner.

The Public Interest Disclosure Act 1998 makes it automatically unfair to dismiss someone on the grounds that they undertook a 'protected disclosure' (i.e. a disclosure made in good faith with a reasonable belief that there has been malpractice or impropriety), and compensation in these circumstances is unlimited. In order for staff to be protected under this law they must take reasonable steps to raise the matter internally first before going outside the organisation and reporting their concerns to such as the press.

The policy applies to all employees and those contractors working for the school or on school premises, it also covers suppliers and those providing services under a contract with the school in their own premises.

## 2. What is the Policy for?

The policy has been introduced to:

- Encourage employees to feel confident in raising serious concerns and to question and act upon concerns about practice
- Provide avenues for staff to raise those concerns and receive feedback on any action taken
- Ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- Reassure staff that they will be protected from possible reprisals or victimisation if they have reasonable belief that there is malpractice or impropriety and have made a disclosure in good faith

## 3. Examples of areas covered

The Policy is intended to cover the following areas of concern:

- Lapses in child protection provision
- Conduct which is an offence or a breach of the law/statutory powers
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- Unauthorised use of public funds including action against Standing Orders or Financial Regulations
- Possible fraud and corruption
- Any other unethical conduct or improper conduct
- Concealment of any of the above.

The policy is not intended to replace the Complaints or Grievance Policies.

#### **4. How the school will respond**

Initial enquiries will be made to decide whether an investigation is appropriate and what form it should take. Some concerns may be resolved by agreed action without the need for investigation.

Within five working days, the person to whom the concern has been referred to will write to the member of staff:

- Acknowledging that the concern has been received
- Indicating how they propose to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Telling the member of staff whether any initial enquiries have been made
- Supplying information on staff support mechanisms, which may include confidential counselling
- Informing the member of staff raising the concern if they feel no action is appropriate
- The school will respond to concerns. Where appropriate the matters raised may:
  - Be investigated by the Leadership Team, and lead into the disciplinary process
  - Be referred to the Chair of Trustees
  - Be referred to the Police
  - Be referred to the LADO
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The amount of contact between the person considering the issues and the employee will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the school will seek further information from the employee. Where any meeting is arranged, off-site if requested, a union/professional representative or a friend may accompany the employee.

The school accepts that all staff need to be assured that the matters will be properly addressed. Subject to legal constraints, staff who have raised the concern will be informed of the outcomes of any investigation.

Any attempt to victimise a person who has reported a concern under this procedure will be dealt with under the Disciplinary Policy.

#### **5. How to raise a concern**

Concerns should be raised in writing at the earliest opportunity. An email can be sent to [cleveswhistleblowing@outlook.com](mailto:cleveswhistleblowing@outlook.com). The more information that can be supplied, including dates, times, details and names, the greater the opportunity to establish the facts. Although staff will not be expected to prove beyond doubt the truth of the allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for concern. Malicious allegations may lead to disciplinary action being taken.

Staff should normally raise concerns with their immediate manager. However dependent upon the seriousness and sensitivity of the issues involved and who is suspected of the

malpractice; for example, if staff believe that a member of the Leadership Team is involved, they should approach the Chair of Trustees.

Staff should seek advice from your trade union/professional body and/or seek external advice from the Citizens Advice Bureau or the Police.

Concerns are better raised in writing. This sets out the background and history of the concern.

## **6. Anonymity / Confidentiality**

If an employee or trustee doesn't want to reveal their identity they can raise a concern anonymously, although this may make it more difficult to address. Employees or trustees are encouraged to put their name to an allegation.

The school will do its best to protect an employee's or trustee's identity if confidentiality is requested. It must be understood, however, that the employee or trustee may be asked to provide a signed statement as part of any evidence required, thus revealing their identity. Failure to provide such a statement may mean that further action cannot be taken by the school to address the concern.