



Urbis Academy Trust
Esse Optimus Qui Possum

Mayville Primary School

Whistleblowing Policy

2020/21

Approved by:

Date: September 2021

Last reviewed on: September 2020

Next review due by: September 2021

INTRODUCTION

Staff must acknowledge their individual responsibility to bring matters of concern to the attention of senior management and/or relevant agencies. Although this can be difficult, this is particularly important where the welfare of children may be at risk.

You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young person who is targeted. These children need someone like you to safeguard their welfare.

AIMS

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated and that their confidentiality will be respected.
- Let all staff in the Trust know how to raise concerns about potential wrongdoing in or by the Trust.
- Set clear procedures for how the Trust will respond to such concerns.
- Let all staff know the protection available to them if they raise a whistle-blowing concern.
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue).

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the Trust in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

LEGISLATION

The requirement to have clear whistle-blowing procedures in place is set out in the [Academies Financial Handbook](#).

This policy has been written in line with the above document, as well as [government guidance on whistle-blowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

SCOPE

This policy applies to all employees of the School. However, the Act also covers those contractors working for the School on its premises. It also covers suppliers and those providing services under a contract with the School in their own premises. Consultants, casual workers and agency workers are also covered. The term 'individual' used throughout this document is used to include all the above.

DEFINITION OF WHISTLE-BLOWING

Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest".

Examples of whistle-blowing include (but aren't limited to):

- Criminal offences, such as fraud or corruption
- Pupils' or staffs' health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the Trust count as whistle-blowing. For example, personal staff grievances, such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely to be a grievance.

When members of staff have a concern, they should consider whether it would be better to follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work) has:

- [Further guidance](#) on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure.
- A free and confidential [advice line](#).

REASONS FOR WHISTLE BLOWING

Each individual has a responsibility for raising concerns about unacceptable practice or behaviour :

- To prevent the problem worsening or widening.
- To protect or reduce risks to others.

- To prevent becoming implicated yourself.

WHAT STOPS PEOPLE FROM WHISTLE BLOWING

- Fear of starting a chain of events which spirals out of control.
- Disrupting the work or project.
- Fear of getting it wrong.
- Fear of repercussions or damaging careers.
- Fear of not being believed.

PROCEDURE FOR STAFF TO RAISE A WHISTLE-BLOWING CONCERN

You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken.

- Try to pinpoint exactly what practice is concerning you and why.
- Approach your line manager or the Head teacher.
- If your concern is about your immediate manager or Headteacher, speak to the Chair of Trustees or the named Safeguarding Lead for Trustees.
- If you feel you need to take it to someone outside the school, contact the Safeguarding in Education Service Tel: 020 8496 4368.
- Make sure you get a satisfactory response - don't let matters rest.
- Ideally, you should put your concerns in writing, outlining the background and history, giving names, dates and places wherever you can.
- A member of staff is not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

WHEN TO RAISE A CONCERN

Staff should consider the examples when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or Trust procedures, put people in danger or was an attempt to cover any such activity up.

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WHO TO REPORT TO

Staff should report their concern to the Headteacher or Assistant Headteachers. If the concern is about the Headteacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Chair of the Board of Trustees or any other named trustee.

HOW TO RAISE THE CONCERN

Concerns should be made in writing wherever possible using the format provided. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

WHAT HAPPENS NEXT

- You will be given information on the nature and progress of any enquiries.
- The school has a responsibility to protect you from harassment or victimisation.
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith.
- Malicious allegations may be considered as a disciplinary offence.

INVESTIGATING THE CONCERN

When a concern is received by the Headteacher or Chair of Trustees - referred to from here as the 'recipient' - they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative.
- Get as much detail as possible about the concern at this meeting and record the information. If it becomes apparent, the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure.
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy).
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
 - The recipient should then arrange a further investigation into the matter, involving the [Headteacher and/or Chair of Trustees, if appropriate. In some cases, they may

need to bring in an external, independent body to investigate. In others cases, they may need to report the matter to the police.

- The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps.

OUTCOME OF THE INVESTIGATION

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the Headteacher, Trustees and other staff if necessary will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

MALICIOUS OR VEXATIOUS ALLEGATIONS

Staff are encouraged to raise concerns when they believe that there is potentially an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the Trust will consider whether any disciplinary action is appropriate against the person making the allegation.

ESCALATING CONCERNS BEYOND THE TRUST

The Trust encourages staff to raise their concerns internally, in line with Reason for Whistleblowing section of this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included [here](#).

The Protect advice line, linked to in Definition of Whistleblowing section of this policy, can also help staff when deciding whether to raise the concern to an external party.

APPROVAL

This policy will be reviewed every year. These procedures have been agreed by the board of trustees, who will approve them whenever reviewed.

LINKS WITH OTHER POLICIES

This policy links with our policies on:

- Staff grievance policy
- Complaints procedure
- Child protection policy

SELF-REPORTING

There may be occasions where a member of staff has a personal difficulty, perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager, so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most instances, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

FURTHER ADVICE AND SUPPORT

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your line manager, HR department and/or your professional or trade union.

Further national guidance can be found at: [Advice on whistleblowing](#). The [NSPCC whistleblowing helpline](#) is also available for staff who do not feel able to raise concerns regarding child protection failures.

Staff can call: 0800 028 0285 – this line is available from 8:00am to 8:00pm, Monday to Friday or via e-mail: help@nspcc.org.uk.



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Whistleblowing Record Form for Staff

(Please complete and return to a member of SLT)

Your name:

Date:

Please give details of your complaint include names of those committing wrongdoing, dates, places and as much evidence and context as possible. (Staff raising a concern should also include details of any personal interest in the matter.)

Recipient of form:

Action taken:

Date:



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Whistleblowing Record Form

This form should be used in the event of an **informal parent complaint** (either via email, phone call or in person). Please complete and return to a member of SLT.

Your name:

Date:

Please give details of your complaint include names of those committing wrongdoing, dates, places and as much evidence and context as possible. (Staff raising a concern should also include details of any personal interest in the matter.)

Recipient of form:

Action taken:

Date: