

# **St Mary's Catholic Primary School**

## **Whistleblowing Procedure**

**Person Responsible:** Miss M. A. Jackson

**Date:** September 2016

**Review Date:** Autumn 2017

**Approved by Governors:**

### **Introduction**

St Mary's is committed to the highest possible standards of openness, probity and accountability and we encourage employees and others working with us to raise any concerns about any aspect of our work to come forward and voice those concerns. In some instances, concerns may need to be expressed on a confidential basis.

This procedure encourages all stakeholders to raise serious concerns, without fear of reprisal or victimization, rather than over-looking a problem or raising the matter outside.

### **Other Complaints Procedures**

This procedure is separate from St Mary's Complaints Procedures.

Any investigation into allegations of potential malpractice under this procedure will not influence or be influenced by any disciplinary or redundancy procedures that already affects an individual.

### **Aim & Scope**

This procedure aims to ensure individuals are:

- encouraged to feel confident in raising serious concerns and to question and act upon concerns about practice
- provided with avenues to raise concerns and receive feedback on any action taken
- given a response to their concerns and are aware of how to pursue them if not satisfied.
- reassured that they will be protected from reprisals or victimisation if they have a reasonable belief any disclosure has been made in good faith.

There are existing procedures in place to enable individuals to lodge a grievance relating to their own employment including issues relating to harassment and bullying. This procedure is intended to cover concerns that fall outside the scope of other procedures.

These include:

- conduct which is, has been or is likely to be an offence or breach of law
- conduct that has occurred, is occurring or is likely to occur the result of which St. Mary's fails to comply with a legal obligation. For example unauthorized use of public funds, possible fraud and corruption, sexual or physical abuse or other unethical conduct of any kind and waste/frivolous expenditure.
- Disclosures related past, current or likely miscarriages of justice
- Past, current or likely health and safety risks, including risks to the public as well as other employees
- Past, current or likely damage to the environment
- Or a cover up of any of the above
- If you wish to report something on the free phone, the number is 0800 169 6975 (confidential hotline)

## **Confidentiality**

All concerns raised will be treated in confidence and every effort will be made not to reveal your identity if this is your wish. However, in certain cases, it may not be possible to maintain confidentiality if you are required to come forward as a witness.

## **Anonymous Allegations**

Whenever possible you should put your name to your allegation as concerns expressed anonymously are much less powerful than those that are attributed to a named individual. However, anonymous allegations will be considered and investigated at discretion.

In exercising the discretion, the factors to be taken into account would include:

- The seriousness of the issues raised
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources

## **Untrue Allegations**

If you make an allegation in good faith that is not subsequently confirmed by an investigation, no action will be taken. Disciplinary action will only be taken against individuals who knowingly make false, malicious or vexatious allegations.

# How To Raise A Concern

## General

Concerns can be raised verbally or in writing. A concern raised in writing should:

- Set out the background and history of the concern, giving names, dates and places where possible
- Give the reason why you are particularly concerned about the situation.

The earlier a concern is raised the easier it is to take action. Although you are not expected to prove beyond doubt the truth of an allegation, you need to demonstrate to the person contacted that there are sufficient grounds for your concern.

A trade union or professional association may raise a matter on behalf of an employee.

## Step One - Raising a Concern

Whenever possible you should raise your concern with your immediate line manager. If this is not appropriate, you should approach the following according to the nature of the concern:

Headteacher – M. A. Jackson  
Chair of Governors – P. Drake

## Step Two - Response

The action taken will depend on the nature of the concern. The matters raised may:

- be investigated internally by management, Internal Audit or through the disciplinary or other internal process
- be referred to the Police
- be referred to the Governors
- form the subject of an independent inquiry.

In order to protect individuals and the school, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (e.g., child protection or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within ten working days, the responsible person will write to you:

- acknowledging that the concern has been received
- indicating proposals to deal with the matter
- giving an estimate of how long it will take to provide a final response
- informing you if any initial enquiries have been made
- whether further investigations will take place and, if not, why not

## **Contact**

The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought.

## **Attending Meetings**

When any meeting is arranged you have the right to be accompanied by a trade union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

## **Support**

Steps will be taken to minimise any difficulties you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, Greenwich LA will advise or arrange for you to have advice about the procedure.

Harassment or victimisation (including informal pressures) will not be tolerated and action will be taken to protect individuals who raise a concern in good faith.

You need to be assured that concerns will be properly addressed and, subject to legal constraints, will provide information about the outcomes of any investigations.

## **How the Matter Can Be Taken Further**

This procedure is intended to provide individuals with an avenue to raise concerns within St Mary's. If you are not satisfied, and feel it is right to take the matter further, the following are possible contact points:

- Chair of Governors c/o St Mary's
- Public Concern at Work           020 7404 6609
- Audit Commission                020 7630 1019
- a local Greenwich County Council member
- relevant professional bodies or regulatory organisations
- a solicitor
- the Police

If a matter is taken outside the school, you must take all reasonable steps to ensure that confidential or privileged information is not disclosed.

## **Public Interest Disclosure Act**

The Act gives you legal protection if you are victimized or unfairly dismissed because you have 'blown the whistle' about particular concerns at work. The Act covers whistleblowing where any of the following has occurred, is occurring or is likely to occur:-

- a criminal offence
- failure to comply with a legal obligation
- a miscarriage of justice
- a danger to the health and safety of any person

- damage to the environment
- deliberate concealment (a cover up) of any of the above

The Act gives employees two safeguards in respect of disclosures of information.

- An employee is entitled not to be subjected to any detriment by virtue of having made a protected disclosure.
- The dismissal of any employee directly due to the individual having made such a disclosure will automatically be unfair

### **A WORD OF WARNING**

There is no legal protection if you make a malicious allegation. As you will understand, such allegations cause unnecessary harm to those accused and waste time and money that could be spent investigating genuine concerns.