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# **Meadowhead School Academy Trust**

## **Whistleblowing Policy and Procedure**



**This is a policy of Meadowhead School  
Academy Trust**

**Staff Responsible:** HR

**Revised:** October 2022

## WHISTLEBLOWING POLICY AND PROCEDURE

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Appendix 1

## WHISTLEBLOWING POLICY AND PROCEDURE

### 1. Preamble

- 1.1 Employees are often the first to realise that there may be something seriously wrong within their school. However, they may not express their growing concerns because they feel that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may be just suspicion of malpractice and wrong-doing at work.
- 1.2 The school's governing body is committed to the highest possible standards of openness, probity and accountability. In line with this commitment, we encourage employees and others with genuine concerns about any of the school governing body's work to come forward and voice those concerns. This policy document makes it clear that employees can do so without fear of reprisals. The whistleblowing policy is intended to encourage and enable employees to raise such concerns **within** the school rather than overlooking a problem.
- 1.3 This procedure accords with the requirements of the Public Interest Disclosure Act 1998.
- 1.4 The procedure allows school employees to raise concerns about the management of the school with the school governing body and to raise concerns about the governance of the school with relevant external bodies.

### ***Aims and Scope of this Policy***

- 2.1 This policy aims to:
  - Provide avenues for you to raise genuine concerns and receive feedback on any action taken
  - Allow you to take the matter further if you are dissatisfied with the governing body's response
  - Reassure you that steps will be taken to protect you from reprisals or victimisation for whistleblowing in good faith.
- 2.2 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. This whistleblowing policy is intended to cover genuine concerns that fall outside the scope of other procedures.

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Whistleblowing covers concerns made that report wrongdoing that is “in the public interest”.

Examples of whistleblowing include (but are not 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.

Further examples are provided at Appendix 1.

Protect (formerly Public Concern at Work) has further guidance on the difference between a whistleblowing concern and a grievance that you may find useful [www.protect-advice.org.uk](http://www.protect-advice.org.uk)

- 2.3 The procedure will be communicated to all school employees as well as agency workers and supply teachers working in schools on a temporary basis.

### ***Safeguards***

#### **Harassment or Victimisation**

The governing body recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal. The governing body will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith.

#### **Confidentiality**

The governing body will do its best to protect your identity when you raise a concern. However, it must be appreciated that, in the interests of natural

justice, any investigation process is likely to reveal the source of the information and a statement by you is likely to be required as part of the evidence.

## **Anonymous Allegations**

You are strongly encouraged to put your name to any allegation. Concerns expressed anonymously are much less powerful, but they may be considered at the discretion of the governing body.

## **Discretion**

In exercising discretion, the following factors will be taken into account when considering how to deal with any allegations:

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

## **Malicious or Vexatious Allegations**

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, it is found that untrue allegations were malicious or vexatious, disciplinary action may be taken against you in accordance with the school's Disciplinary Procedure.

## **How to Raise a Concern**

- 4.1 As a first step, you should normally raise concerns with your immediate line manager or Headteacher. This depends, however, on the seriousness and sensitivity of the issues involved and who you think may be involved in the malpractice. For example, if you believe that your line manager is involved, you should approach your Head. If you feel the Head may be involved, your Chair of Governors should be approached.
- 4.2 If the concern is about the governing body, the matter should be raised with an appropriate external body (see section 6).
- 4.3 Advice and guidance on how matters of concern may be pursued can be obtained from:

- HR
  - Your line manager
  - Headteacher
  - Chair of Governors
- 4.4 Concerns are better raised in writing. You are invited to set out the background and history of your concern, giving names, dates and places, where possible, and the reason why you are particularly concerned about the situation. If you are not able to put your concern in writing, you can telephone or arrange to meet the appropriate person. If you are a member of a trade union you may find it helpful to take advice from them about putting your concerns in writing.
- 4.5 You may ask your trade union representative to raise the matter on your behalf.
- 4.6 The earlier you express your concern, the easier it is for the governing body to take action.
- 4.7 Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for initial enquiries to be made.

### **How the Governing Body Will Respond**

- 5.1 The action taken by the governing body will depend on the nature of the concern. The matters raised may:
- Be investigated internally
  - Be referred to the Police
  - Be referred to an external body
  - Form the subject of an independent enquiry.
- 5.2 In order to protect individuals and the governing body, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

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- 5.3 Some concerns may be resolved without the need for an investigation.
- 5.4 Within ten working days of a concern being received, the governing body will write to you:
- Acknowledging that the concern has been received
  - Indicating how it proposes to deal with the matter
  - Giving an estimate of how long it will take to deal with the matter
  - Telling you whether any initial enquiries have been made; and
  - Telling you whether further investigations will take place, and if not, why not.
- 5.5 The amount of contact between the governors 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 from you.
- 5.6 When any meeting is arranged to discuss your concerns, you have the right, if you so wish, to be accompanied by a trade union representative or a school colleague who is not involved in the area of work to which the concern relates and who also could not be called as witness.
- 5.7 The governing body will take steps to minimise any difficulties, which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the governing body will advise you about the procedure.
- 5.8 The governing body accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcome of any investigations.

Any person who is the subject of an allegation should, at the appropriate times be given details of the allegation in order to respond. They will have the right to trade union representation.

### **How the Matter can be Taken Further**

- 6.1 This policy is intended to provide you with an avenue to raise concerns with your governing body. The governing body hopes you will be satisfied. If you are not and you feel it is right to take the matter outside, the following are possible contact points:
- Relevant professional bodies or regulatory organisations

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- a solicitor
  - The Police
  - Other prescribed people and bodies e.g.:
    - Information Commissioner's Office
    - Serious Fraud Office
    - Environment Agency
    - Health and Safety Executive
    - Ofsted
    - Ofqual



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## **APPENDIX 1**

### **MEADOWHEAD SCHOOL POLICY AND PROCEDURE FOR WHISTLEBLOWING**

This list illustrates the kind of issues the school would consider as malpractice or wrong-doing that could be raised under this whistleblowing policy. However, this list is not exhaustive.

- Improper/unacceptable behaviour towards a service user which could take the form of emotional, sexual or verbal abuse, rough handling, oppressive or discriminatory behaviour or exploitative acts for material or sexual gain
- Any unlawful activities, whether criminal or a breach of civil law
- Fraud, theft or corruption
- Concerns regarding possible breaches of Health and Safety Regulations
- Undertaking of undisclosed private work which may conflict with duties and responsibilities, or which are being carried out during work time
- Inappropriate contact with members of the public within school facilities, or whilst carrying out governing body duties outside of working time
- Taking gifts or inducements
- Inappropriate use of external funding or the school budget or assets
- Maladministration as defined by the Local Government Ombudsman
- Breach of any Statutory Code of Practice