

# Whistleblowing Policy

## Dormers Wells Infant and Junior School



### Believe Aspire Flourish

**Diversity, Opportunity, Resilience, Moral values, Excellence, Respect,  
Self-Belief**

Policy last reviewed, ratified and adopted by Full Governing Body	March 2022
Policy / Document due for review by the Full Governing Body as a federated document for both schools	March 2025 In the interim: Procedures be agreed by DWLT board of trustees

This policy will be reviewed 3 years.

There are no statutory recommendations on frequency of review.

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## 1. Aims and Introduction

### 1.1 Introduction

The Governors and Headteacher are committed to delivering a high-quality education service to pupils and expect high standards from their staff and contractors. In order to maintain these high standards a culture of openness and accountability is vitally important.

### 1.2 Aims

This policy aims to:

- Encourage individuals affected to raise concerns about malpractice, report suspected wrongdoing, within the school, 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 and explain how the Governors may respond.
- 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; without fear of reprisal

### 1.3 Scope of the Policy

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 School employees or other workers who provide services to the trust in any capacity including self-employed consultants or contractors, volunteers who provide services on a personal basis and agency workers/staff and engaged by the school. There is a separate procedure for pupils and parents to raise concerns about school related issues.

## 2. Legislation

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

This policy complies with our funding agreement and articles of association.

### 3. Definition of whistle-blowing

Whistle-blowing covers concerns made that report wrongdoing that is “in the public interest”. Examples of whistle-blowing 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.

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 a grievance.

When 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](#)

### 4. Procedure for staff to raise a whistle-blowing concern

#### 4.1 When to raise a concern

Staff should consider the examples in section 3 and below, 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.

#### Blowing the Whistle on Malpractice

Malpractice covers a wide range of concerns. The types of activity that should be disclosed include but are not limited to the following:

- the physical, emotional or sexual abuse of pupils or staff
- unauthorised use of School funds and/or financial maladministration
- fraud and corruption
- failure to comply with legal obligations
- endangering of an individual’s health and safety
- damage to the environment
- a criminal offence
- failure to follow financial and contract procedure rules
- showing undue favour to a contractor or a job applicant
- miscarriages of justice
- deliberate concealment of information relating to any of the above
- concerns about the professional practice or competence of colleagues, other members of staff or other workers

## 4.2 Who to report to

Staff should report their concern to the Headteacher or Deputy Headteacher or their line manager. The earlier a concern is raised the easier it will be to take action. You the whistleblower are a witness to events not the investigator. You do not need to wait for compelling evidence of malpractice before raising concerns but you must have reasonable grounds for your suspicion.

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/other named trustee XX.

We will appoint at least 1 trustee and 1 member of staff who other staff can report concerns to, as per the 2021 Academy Trust Handbook. (we can have additional named staff or trustees who staff can report to).

You may alternatively raise the matter if for whatever reason you are unable to raise your concerns with one of the above with one of the following:

Head of Schools Human Resources, **Mark Nelson: 020 8825 9478**  
Head of Audit: **020 8825 6078**

Ealing Council also operates a Fraud Hotline: **0800 328 6453** (free call) where information can be left anonymously or to **[fraudreferrals@ealing.gov.uk](mailto:fraudreferrals@ealing.gov.uk)**

Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. You will be advised whether an investigation takes place or not. When making a decision, the Headteacher will consider whether continuing with an investigation is in the public interest.

## 4.3 How to raise the concern

Concerns should be made in writing wherever possible. When reporting a concern, you should provide as much evidence, context and detail as possible. You should include the full names of those committing wrongdoing and the people involved or who know about what is happening, including the names of those involved, dates of events, places and any relevant documentation. This will help the investigator to focus on the main issues quickly. Staff raising a concern should also include details of any personal interest in the matter.

# 5. Trust procedure for responding to a whistle-blowing concern

## 5.1 Investigating the concern

When a concern is received by the headteacher/trustee/other named person - 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 other 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

## 5.2 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.

## 6. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be 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.

## 7. Escalating concerns beyond the trust/school

The trust/ School encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff, in certain circumstances, may feel the need to report concerns to an external body. This should only be done where you are raising a genuine concern in the public interest and where you believe the information is true, i.e. more than just suspicion. You are advised to discuss your concerns with a legal advisor, professional association, trade union or PCAW (see above) before reporting them outside the School/trust.

A list of prescribed bodies/regulators to whom staff can raise concerns with, is included [here](#) and below.

The Protect advice line, linked to in section 3 of this policy, can also help staff when deciding whether to raise the concern to an external party.

- Ofsted (whistleblowing helpline): 0300 123 3155 or [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)
- The Audit Commission: 0303 444 8300

- Information Commissioner : 0303 123 1113
- Environment Agency: 03708 506 506
- Health and Safety Executive : 0300 0031 647

As a last resort and provided it is appropriate in all the circumstances, you may choose to raise your concern outside the school to someone other than a prescribed regulator e.g. the police or your MP. Provided the disclosure is reasonable in all the circumstances and is not made for personal gain, the preconditions are that you:

- Reasonably believed that you would be victimised if you raised the matter initially within the school
- Reasonably believed that the matter would be “covered up” if you raised the matter internally within the School or the Council and there is no prescribed regulator or
- You have already raised the matter internally or with a prescribed regulator.

You may also choose to raise the matter with the Local Authority Designated Officer (LADO) **Ricella Browne (020 8825 8930)** if the matter concerns a potential safeguarding/child abuse issue.

## 8. Advice and Support

The school recognises that staff may wish to seek advice and support from their professional association or trade union before blowing the whistle and you are strongly advised to do so. Employees may also wish to seek advice from ‘Public Concern at Work’ (PCAW), an organisation which is entirely separate from the School or the Council. PCAW have lawyers who provide confidential advice, free of charge, to people concerned about wrongdoing at work. They can be contacted by telephone on 027 404 6609 or email at [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk).

You may also seek confidential advice from Workplace Options the Council’s independent counseling service (0800 243 458) where your School purchases this service or from an alternative supplier nominated by your School.

Whistleblowers who consider that they have been victimised as a result of whistleblowing should make a formal complaint to their employer immediately giving details of the way in which they believe they have been subject to detriment and their reasons for thinking that the detriment might be connected with their disclosure. You might also wish to contact the Schools Human Resources Consultancy Team on 020 8825 9478. You may also choose to raise the matter with:

- Professional Association/Trade Union
- Councillor
- Member of Parliament
- Legal Adviser

It is the responsibility of your employer to ensure that you are not victimised as a result of whistleblowing.

## 9. Confidentiality

The school understands that you may be reluctant to come forward with information about the wrongdoing of a colleague or manager or indeed at all. As such, the school recognises that whistle blowers may wish to raise concerns in confidence. If you (the whistleblower) make a request for the matter to be kept confidential then your identity will not be revealed without discussing the matter with you first.

## 10. Anonymous Allegations

It is recognised that the purpose of a whistleblowing policy is to allow people to make protected disclosure with the protection being against any reprisals or victimisation for disclosures made honestly and in good faith. It is very difficult for some people to come forward and make a disclosure and the prospect of having to identify yourself can make the action of whistleblowing all the more daunting. You are encouraged to give your name when raising concerns. A concern expressed anonymously is much less powerful and is often more difficult to investigate and can lack credibility. The decision whether to investigate an anonymous allegation will be made by the Headteacher and/ or the Chair of Governors and/or Ealing Council. When making this decision they will take into account the seriousness of the issues raised, the credibility of what is being said and the likelihood of confirming the allegation from other sources.

## **11. Protection for the Whistleblower**

All concerns raised under this procedure will be treated seriously and a decision made about whether or not an investigation is appropriate. Depending upon the nature of the matter it may be referred to the external auditor or the police. The person to whom you reported your concern will be responsible for keeping you informed about the progress of the investigation and the action, which has been taken, although you may not be told the outcome. In some cases, the investigation may result in criminal or disciplinary proceedings. If this happens you may be invited to give a written statement or give evidence at a hearing. The Headteacher and Governors will support you in this process and ensure that you are clear about what will happen.

## **12. Allegations not made in the public interest**

Concerns that are raised frivolously, maliciously, or where they are known to be untrue may result in disciplinary action or, in the case of agency staff, the termination of the agency contract. In the case of contractors, the matter will be reported to the Council's relevant Contract Manager so that a decision can be made about the appropriate action to take.

## **13. Links with other policies**

This policy links with our policies on:

- Staff grievance policy
- Complaints procedure
- Safeguarding and Child protection policy
- **RRS links:** Article 2: non-discrimination Article 3: the best interests of the child Article 12: respect for the views of the child Article 28: right to education Article 31: right to leisure, play and culture