



Ribston Hall High School

Whistleblowing Policy

Date of Policy: November 2023

Person(s) responsible: Headteacher

Date of next review: November 2024

Aims

The Trustees 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.

The aims of this policy are:

- 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 school 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 whistleblowing 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.

The purpose of a whistleblowing policy is to allow people to make protected disclosure with the protection against any reprisals or victimisation for disclosures made honestly and in good faith. 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.

Concerns from parents and pupils fall under the School's Complaints Procedure or, if regarding an allegation of abuse or neglect against a member of staff, under the school's Safeguarding and Child Protection Policy, Appendix 3 'Allegations of abuse made against staff'

Legislation

The requirement to have clear whistleblowing 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 whistleblowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

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

Definition of Whistleblowing

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

Whistleblowing may be for a wide range of concerns.

Examples of whistleblowing include (but are not limited to) the following:

- 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 whistleblower is a person who raises a genuine concern relating to the above.

Not all concerns about the school count as whistleblowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistleblowing. 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 procedures.

Protect (formerly Public Concern at Work) has:

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

Procedure for staff to raise a whistleblowing concern

When to raise a concern

Staff should consider the examples above, when deciding whether their concern is of a whistleblowing 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.

Who to report to?

Staff should report their concern to the Headteacher. 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.

In the case of an allegation of abuse or neglect of a child by a member of staff, you can raise it directly with the Local Authority Designated Officer (LADO) Mr Nigel Hatten. 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. Information on the Allegations Management Process with the LADO can be found at: [The Role of the LADO & The Allegations Management process - Gloucestershire Safeguarding Children Partnership](#)

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 before raising concerns, but you must have reasonable grounds for your suspicion.

How to raise the concern

Concerns should be made in writing wherever possible. 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. This will help the investigator to focus on the main issues quickly.

Investigating the concern

When a concern is received by the Headteacher/Chair of the Board 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 whistleblowing nature, the recipient will 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
- 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 or the Chair of the Board 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

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, LADO 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 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 school will consider whether any disciplinary action is appropriate against the person making the allegation.

Anonymous Allegations

The decision whether to investigate an anonymous allegation will be made by the Headteacher and/or the Chair of the Board of Trustees. If it is an allegation of abuse or neglect, it will be passed to the Local Authority Designated Officer (LADO) for advice. 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.

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 but a concern regarding the safety of a child should not be delayed.

Whistleblowers who consider that they have been victimised as a result of whistleblowing should make a formal complaint to their employer using the Staff Grievance policy, 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.

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

Escalating Concerns

The trust encourages staff to raise their concerns internally, in line with 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](#) can also help staff when deciding whether to raise the concern to an external party.

Policy Approval

The trustees have overall responsibility for the operation of this policy. This policy has to be formally adopted by the trustees and will be reviewed annually.

Links with other policies and documents

This policy links to the following policies and procedures:

- Safeguarding and Child Protection Policy and Procedures
- Complaints Policy
- Staff Grievance Policy