

Graham James Primary Academy



Whistleblowing Policy

Agreed by:

Next Review Date:



GRAHAM JAMES PRIMARY ACADEMY



Whistleblowing Policy

The Academy Governing Body is committed to providing the highest quality service to pupils, their families and to the wider community. This involves ensuring that the local community can have full trust and confidence in the way the Academy manages its services and resources and making sure that all those served by the Academy are provided for safely, effectively and in accordance with best practice.

There are occasions when high standards are not maintained. Normally such problems are dealt with by reporting the matter to the Head Teacher who will investigate and rectify the issue (if needed). However, when staff have concerns about serious malpractice, such as the safety or proper care of pupils, or fraudulent or dishonest practice, it can be difficult to know what to do.

Definition of Whistleblowing: Whistleblowing has been defined as:

'The disclosure by an employee or professional of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the work place, be it of the employee or his/her fellow employees'.

(Public Concern at Work Guidelines 1997).

This policy aims to:

- Give members of staff the confidence to raise concerns about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice or is inconsistent with school standards and policies so that s/he is encouraged to act on those concerns.
- Provide members of staff with avenues to raise concerns.
- Ensure that members of staff receive a response to the concerns they have raised and feedback on any action taken.
- Offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken in good faith.

Examples of illegal and/ or improper conduct

- Unlawful conduct.
- Miscarriages of justice in the conduct of statutory or other processes.
- Failure to comply with a statutory or legal obligation.
- Potential maladministration, misconduct or malpractice.

- Health and safety issues including risks to the public as well as risks to pupils and members of staff.
- Action that has caused or is likely to cause danger to the environment.
- Abuse of authority.
- Unauthorised use of public or other funds.
- Fraud or corruption.
- Breaches of financial regulations or policies.
- Mistreatment of any person.
- Action that has caused or is likely to cause physical danger to any person or risk serious damage to school property.
- Unfair discrimination or favouritism.
- Racist incidents or acts, or racial harassment
- Any attempt to prevent disclosure of any of the issues listed.
- Child protection concerns

Child protection/ Safeguarding:

All employees and volunteers are expected to report any safeguarding and child protection concerns to the designated safeguarding lead [Mrs Petra Back, Head Teacher or in her absence Mr Richard Turner, Deputy Head Teacher] as stated in the child protection/ safeguarding policy (p14).

Such concerns may relate to:

- The physical, sexual, emotional abuse or neglect of a child.
- An inappropriate or improper relationship between an adult and a pupil.

Anonymous allegations

Allegations can be made anonymously. However, this policy encourages you to put your name to your allegation, as concerns expressed anonymously are often much more difficult to investigate. For example, we may need to contact you to obtain further information or verify the details you have already given us.

Anonymous allegations will be considered wherever possible at the discretion of the school. The factors to be taken into account when determining whether an investigation in such a case can proceed would include:

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

Harassment or victimisation

Graham James Primary Academy recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal. We will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith.

However, should you feel that you have suffered harassment, either directly or indirectly as a result of raising a concern, you should refer to the school's code of conduct document.

Confidentiality

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

Unsubstantiated allegations

If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action is likely to be taken.

Procedure for whistleblowing

As a first step, you should normally raise concerns with your immediate manager, their line manager or the Headteacher in writing or verbally (Please refer to the Academy Complaints Policy). This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.

If you feel you cannot express your concerns within the school, it is open to you to raise your concern with someone outside the school such as:

- Chair of Governors (See contact details on last page).
- Local Authority Designated Officer (previously known as LADO) if the matter is about child protection or safeguarding issues (See contact details on last page).
- Police.
- Health & Safety Executive.
- Relevant professional bodies or regulatory organisations.
- Department for Education.
- OfSTED .

What happens next

The person dealing with your concern will:

- Inform the Governing Body of the concern (It is the Governing Body's responsibility to make sure that any alleged malpractice is followed up)
- Provide a written response acknowledging receipt of the concern and notifying what will happen next (unless it was an anonymous allegation)
- Look into the allegation - seeking evidence and interviewing witnesses as necessary.
- Maintain confidentiality wherever possible but be mindful that there is no guarantee that the whistleblower can remain anonymous.
- If appropriate, bring the matter to the attention of the Local Authority appointed person dealing with complaints about financial management of schools.
- If appropriate, for concerns of criminal behaviour refer the matter to the Police.
- If appropriate, for concerns of child protection, refer the matter to the Local Authority Designated Officer (LADO)

The whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

If the person investigating needs to talk to you (the whistleblower), you are permitted to be accompanied by a trade union or professional association representative or a fellow member of staff not involved in the area of work to which the concern relates.

The target is to complete the inquiry within **28 working days** from the date of the initial written response and write to all relevant parties to keep them informed of what is happening (if appropriate).

What you should not do:

The Whistleblowing procedure **should not** be used for:

- Pursuing a personal grievance
- To deal with day to day problems, mistakes or general differences of view that arise at work
- You should not as a first step take your concern to the press or media.

Whistleblowing support:

At Graham James Primary Academy, we recognise that reports of a whistleblowing nature can be very hard for a member of staff to make. If you feel that counselling is needed after following the Whistleblowing procedure – please inform the person investigating who will give you up to date counselling contact details.

Contact Information:

Head Teacher: Mrs Petra Back (01375 675889)
headteacher@grahamjamesprimary.thurrock.sc.uk

Chair of Governors: Mr Bradley Lane
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SS17 7ES

• **LADO:** Mr Neil Laurie (01375 652535)
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