



## Lovelace Primary School Whistleblowing Policy

**Date Agreed: September 2024**

**Date of next review: September 2025**

**Signature of Headteacher: Kelly Dixon**

**Signature on behalf of Governing Body (Chair / or chair of committee):**

### **This policy aims to:**

Employees are often the first to realise that there may be something seriously wrong within the School. However, staff may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School. They may also fear harassment or victimisation. Each person working for Lovelace Primary School needs to realise that they not only have the right, but also a duty to report any improper actions or omissions. Lovelace Primary School also recognises and appreciates that employees who raise concerns regarding malpractice or wrongdoing are an asset to the School, and not a threat.

This policy makes it clear that staff can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. The whistleblowing policy is intended to encourage and enable employees to raise serious concerns within the School. This policy aims to:

- *encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice*
- *provide avenues to raise those concerns and receive feedback on any action taken*
- *ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied*
- *reassure staff that they will be protected from possible reprisals or victimisation if they have made any disclosure in good faith.*

### **Who can use the whistleblowing procedure?**

- All school staff, all extended day staff, all children's centre staff, whether full time or part time, permanent or temporary;
- All staff working in school (including professional colleagues, volunteers and students);
- Contractors working for the school on the premises e.g. agency staff, builders or maintenance contractors;
- External contractors and those providing services under a contract with the local authority.

### **Safeguarding against harassment or victimisation**

Lovelace Primary School is committed to good practice and high standards and wants to be supportive of employees. It is recognised that the decision to report a concern can be a difficult one to make. If a member of staff has a reasonable belief that what they are saying is true, they have nothing to fear because they will be doing their duty to their employer and/or those for whom they are providing a service. Senior leaders will take appropriate action to protect staff when they raise a concern, by supporting the member of staff and consider action under the appropriate procedure against the person or persons responsible for the reported acts, provided the member of staff:

- Discloses the information in good faith
- Believes the concern to be true
- Does not act maliciously or make false allegations
- Does not seek any personal gain, and
- Provided the allegations relate to one of the categories covered by the scope of the policy, referred to above.

There are national guidelines to help you as a whistleblower. See the government guidance: <https://www.gov.uk/whistleblowing>.



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### When should I raise a concern?

If you find out about activities that harm pupils, colleagues or associate staff. These may include:

- Illegal activities
- Miscarriages of justice
- Risks to health and safety
- Damage to the environment
- Misuse of public funds
- Fraud and corruption
- Abuse of clients
- Other wrongdoing, (including attempts to cover up wrongdoing)

### 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 may be taken.

### Confidentiality

All concerns will be treated in confidence but at the appropriate time, the whistleblower may be asked to come forward as a witness, and this will be discussed with them.

### How to raise concerns

Employees may raise concerns with their immediate line manager or another member of the SLT or, if it is believed that such managers are involved, the Headteacher, the Chair of the Governing Body may be approached. (A list of the DSL's can be found in the School's Child Protection and Safeguarding Policy).

Should the whistleblower feel the need to involve a person external to the School they may approach their union representative. Concerns may be raised verbally or in writing. Employees who wish to make a written report are asked to provide the background and history of the concern (including relevant dates) and the reason why they are particularly concerned about the situation. The earlier the concern is expressed, the easier it is to act. In order to assist with the investigation, employees should provide as much detail and supporting evidence as possible. Employees are not expected to prove that an allegation is true, only to have sufficient grounds for concern. The whistleblower may invite a recognised Trade Union representative or a work colleague to be present during any meetings or interviews in connection with the concerns raised.

### If you work for an agency or are a temporary worker

You should raise any concerns with your line manager or the headteacher. But if you feel unable to do so or you are concerned about something serious, you may approach a senior manager or your Head of Service. You can raise a concern by talking to someone or writing to them.

### How the School will respond

The School will investigate and respond to all concerns raised by employees or service users through any channels. While it is not essential that the concerns be provided in writing, the person receiving the concern will, ensure that a written account of it is made. This will help with the subsequent investigation by facilitating clear record-keeping. When a concern is raised directly with the School, they should undertake the following actions:

- Take the concern seriously
- Consider the concerns fully and objectively
- Recognise that raising a concern can be a difficult experience for employees



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- Ensure confidentiality
- Refer to a member of the SLT of appropriate seniority, to agree the level at which the concern will be investigated and identify who will take responsibility for the coordinating the enquiry.

*Staff and Governing Body members who are under investigation will not be involved in the investigation process.*

### **Initial enquiry**

In order to protect the individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the School will have in mind, is that of the public interest. If urgent action is required, this will be taken before any investigation is conducted. The purpose of the initial inquiry is to ascertain if the conduct or behaviour involves a member of the school staff, a member of the SLT or a member of the Governing Body, so that further enquiries and investigation can be progressed accordingly.

### **Preliminary enquiry**

Preliminary enquiry establishes need to carry out an investigation. Further to the results of the initial and preliminary enquiries, and at the discretion of SLT/Governing Body, the following steps will then need to be considered:

- Concerns or allegations, which fall within the scope of specific procedures, eg child protection or discrimination issues, will normally be referred for consideration under those procedures
- Where there is any financial impropriety, the concern should be referred to the Governing Body before taking any other action
- Ensure that matters of a criminal nature are reported to the Police, after consultation with the Governing Body
- Whether the disciplinary or other relevant management policies, procedures and processes of the School need to be applied
- Appointment of an officer to carry out the investigation under these procedures. Investigation Depending on the nature of concerns, investigation may be carried out under the School's Capability (Teachers and Support Staff) Policies, Disciplinary Policy and Procedures or AfC Fraud & Corruption.

### **Investigation Timescales**

Within 14 days of a report being received, the person who is dealing with the concern that has been raised will respond in writing:

- Acknowledging that the concern has been received
- Supplying information on staff support mechanisms, and
- Advising whether further investigations or action is required and, if not, why not.

A further update will also be provided 28 days after the report was received, advising of additional progress made and the estimated date a final response will be available.

### **Investigation process**

The impartial investigating manager appointed to undertake the investigation will establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. Other people may need to be interviewed to provide further information and/or clarification concerning the issue(s) raised.

It is essential that written records of all interviews be kept throughout the investigation, together with written details of any action taken. The investigation will result in a written report and recommendations for corrective action which will be passed to the manager responsible for deciding whether formal action shall be taken.



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Where any meeting is arranged involving an individual member of staff, which can be offsite, a recognised Trade Union representative or a work colleague may also attend.

The School/Governing Body will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, if a member of staff is required to give evidence in criminal or disciplinary proceedings, the School/Governing Body will arrange for them to receive appropriate procedural and/or legal advice.

A member of staff raising a concern will be, subject to legal constraints, advised in writing of the outcome of the investigation and, where appropriate, what action is being taken.