Whistleblowing Policy
La Sainte Union School

Based on the London Borough of Camden

MODEL SCHOOLS WHISTLEBLOWING POLICY

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1 Policy Statement

Part IV of the Employment Rights Act 1996 (ERA 1996) inserted by the Public Interest Disclosure Act 1998 (PIDA) provides a framework of protection against detriment or dismissal in connection with 'blowing the whistle' on illegal practices in the workplace.

The School is committed to the highest standards of openness, probity and accountability. In line with this commitment the School encourages individuals with serious concerns about an activity in the School to voice those concerns. This also applies to concerns about the actions of employees, members of the leadership team, Governors and external organisations in their dealings with the School.

This document outlines how issues can be raised internally, and if necessary, outside the management structure of the School. It records our assurance that concerns will be seriously considered and appropriate action taken; and further that anyone who raises these concerns will be protected from reprisals or victimisation.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- To provide staff with guidance as to how to raise those concerns.
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

It should be noted that any clause within a worker's contract of employment is void if it attempts to prevent an individual from making a protected disclosure under the Act. This policy does not remove or diminish the existing contractual or statutory rights of employees.

2 Scope

This policy applies to all employees of the School. However, the Act also covers those contractors working for the School on its premises. It also covers suppliers and those providing services under a contract with the School in their own premises. Consultants, casual workers and agency workers are also covered. The term 'individual' used throughout this document is used to include all the above.

3 Principles

This policy is intended to cover concerns that fall outside the scope of individual grievances and relates to both employees and workers.

This policy is in addition to the School's complaints procedure and other statutory reporting procedures, and seeks to encourage individuals to raise concerns internally within the organisation.

If an individual is unsure whether or not to use protected disclosure provisions, or if an individual needs independent advice at any stage, he/she can contact Public Concern at Work which is an independent charity which can give free confidential advice at any stage on how to raise a concern about serious malpractice at work. Please refer to Appendix 1 for further details.

4 What is Whistleblowing?

A 'qualifying disclosure' or whistleblowing is any disclosure of information that is made in the public interest and, in the reasonable belief of the individual, relates to suspected wrongdoing or dangers at work which is either happening at the present time, took place in the past or is likely to happen in the future. This may include:

- a criminal offence e.g. manipulation of accounting records and finances, or inappropriate use of school assets or funds
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- a breach of any other legal obligation; or
- the deliberate concealment of any of the above matters

5 Grievances

There is an existing School policy and procedure in place to enable staff to raise grievances about their own employment. In these cases, the Whistleblowing Procedure is not the right document and you should use the School's Grievance Procedure instead.

An individual does not have to raise a grievance in order to make a 'protected disclosure. However, if the individual intends to raise the matter as a grievance, this intention must be clearly stated.

6 Protection and Support for Whistleblowers

In making the disclosure in the public interest, an individual must have a reasonable belief that the information disclosed shows one or more of the offences or breaches listed above. The belief need not be correct, but the individual must show that they held the belief and that it was a reasonable belief, in the circumstances, at the time of the disclosure.

Individuals are encouraged to come forward with genuine concerns in the knowledge that they will be taken seriously (even if they turn out to be mistaken). The School recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those responsible for the malpractice. As far as possible the School will seek to respect the confidentiality and anonymity of the individual raising the concern and will seek to protect him/her from reprisals. In this regard, the School will not tolerate any detrimental treatment of the individual who has raised the concerns, nor will any attempt to prevent individuals from raising concerns be

acceptable. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavorable treatment connected with raising a concern.

If someone believes that they have suffered any such treatment, they should report this immediately. If the matter is not remedied they should raise it formally using the School's Grievance Procedure or Complaints Procedure as appropriate. Threats or retaliation against whistleblowers will not be tolerated. Any person involved in such conduct may be subject to disciplinary action.

7 Confidentiality

When an individual raises a concern but does not want their name to be disclosed, the School will do its best to protect his/her identity. However, if it is felt that a formal investigation process may be necessary, a statement may be required from the individual to form part of the evidence, otherwise it might not be possible to proceed with further action. We will discuss this with you.

One of the aims of this policy is to encourage individuals to put their name, with confidence, to any allegation whenever possible. The School does not encourage individuals to make disclosures anonymously. Proper investigation may be more difficult or impossible if it cannot obtain further information from you. Concerns expressed anonymously are much less credible, but they may be considered at the School's discretion.

When considering anonymous allegations, a number of factors would be taken into account and may include:

- the seriousness of the issue raised;
- the credibility of the concern;
- the likelihood of being able to confirm that the allegation is from identifiable sources; or
- the ability to trace the source of unfounded or malicious allegations.

8 Raising a concern with the School

As a first step, an individual should normally raise the concern with your immediate manager. Some concerns may be resolved by agreed action without the need for investigation. Alternatively, if urgent action is required, this will be taken before any investigation commences, e.g. health and safety issues.

Reporting suspected fraud, irregularity, bribery and corruption

If matter suspected relates to fraud, corruption or money laundering the individual must report it this to the Headteacher or, if not appropriate, to the Chair of Governors, or to other nominated Governor or Governors.

Alternatively if the whistleblower considers the matter too serious or sensitive to raise within the internal environment of the School, the matter should be directed to the appropriate specialist officer within Camden as follows:

- The Head of Internal Audit and Investigations for alleged financial malpractice or fraud or manipulation of school performance
- The HR Strategic Lead for employment issues and concerns (incorporating Safer Recruitment matters).
- The Health and Safety Manager in respect of health and safety issues

Camden's Child Protection Co-ordinator should be contacted whenever there are concerns about child protection and safeguarding practice within the School; or alternatively concerns about the conduct of staff which do not appear to be being dealt with by the School.

9. Raising Concerns about Safeguarding Children

The School fosters a culture of openness in line with the "freedom to speak up" review and will put in place strategies and procedures to ensure that staff feel enabled to raise concerns relating to the safeguarding of children or poor practice within the School that may cause a risk to children.

The School recognises that there may be circumstances where staff and pupils feel unable to raise concerns or incidents of malpractice within the School environment as there is reasonable doubt that these would be dealt with adequately.

All school's staff, governors and volunteers have a legal duty to raise concerns where they feel individuals in the School is failing to safeguard and promote the welfare of children. Where it is not possible to raise concerns within the School, staff governors and volunteers may report concerns to the following;

- Camden's lead officers for child protection or safeguarding where there are issues regarding the welfare of a pupil;

- Ofsted whistle-blowing line on **0300 123 3155** where there are issues regarding the School's overall procedures around safeguarding. Email: **whislteblowing@oftsed.gov.uk**

- **NSPCC whistleblowing helpline**
  The National Society for the Prevention of Cruelty to Children (NSPCC) has a national whistleblowing helpline for employees wishing to raise concerns about a child at risk of abuse. You can find more information on this NSPCC whistleblowing helpline on their official website

- You may also contact the following organisation outside the Council for assistance with your concern:

Public Concern at Work, now known as Protect, on: 020 3117 2520 or visit their website: http://www.pcaw.org.uk/

- The School's Headteacher is responsible for ensuring that these numbers are advertised on the school premises and made available to staff and pupils.

While the Council is grateful to receive any whistleblowing information, we do not routinely provide updates or tell you of the outcome of the investigation, as this may potentially impact on any decisions, actions or outcomes that we may reach in the future; this may also infringe a duty of confidentiality owed by us to someone else.

10. Investigation and Outcomes

The School will take appropriate steps to have the concern investigated. This includes arranging a meeting with the individual as soon as possible to discuss the concern and taking down a written summary of it. The individual will be provided with a copy of this after the meeting and will also be given an indication about how the School proposes to deal with the matter.

The action taken by the School will be dependent on the nature of the concern. The School will make initial enquiries to decide whether an investigation is appropriate and, if so, what form it should take. If an allegation or concern falls within the scope of other specific procedures it will be referred for consideration under those procedures, e.g. the disciplinary or grievance procedure. As appropriate, the School will:

- consult with the Head of Internal Audit and Investigations for alleged financial malpractice or fraud cases; or
- consult the School's Health and Safety Service Advisor's on health and safety concerns reported to him/her for investigation; or
- consult with the School's HR Business Advisor on Code of Conduct concerns reported to him/her for investigation.

Where the concern or allegation is raised internally for investigation, we will keep the individual advised of progress and advised as to the investigation's likely timescale. The investigator may make recommendations for change to enable the School to minimize the risk of future wrongdoing.

11 Raising Unfounded or Malicious Concerns

If an allegation is made but is not confirmed by the investigation, no action will be taken against the individual raising the concern and the School will endeavour to protect the individual from reprisals or victimisation.

However, if an individual makes an allegation which – through the internal investigation process - is found to be malicious, mischievous or vexatious, or a disclosure made for personal gain, such actions will be considered as disciplinary offences and are likely to result in disciplinary action being taken against the individual.

Whistleblowers making untrue allegations may expose themselves to actions for libel or slander which together make up the civil wrong of defamation. This is a complex area of law. In essence a person puts themselves at risk of being sued for damages if, without justification, they publish or communicate a false statement about someone which may injure his or her reputation in the eyes of ordinary members of society.

However, a whistleblower will not generally be liable provided that they had a legal, moral or social duty or interest in making the statement to a person with a similar interest.

12 Dissatisfaction with a Response

While the School cannot always guarantee the outcome the individual may be seeking, it will deal with the concern in a fair and appropriate way. If the individual is dissatisfied with the resolution of the matter, or has genuine concerns that the matter has not been dealt with appropriately, these concerns should initially be raised with the investigating officer.

Where the concern is of a particularly serious nature and the individual remains dissatisfied, the individual may feel that it is more appropriate to take the matter outside of the School. If an individual would like independent advice about how to raise serious concerns constructively, then he/she should contact Public Concern at Work.

There are a number of bodies which have been prescribed by the Secretary of State for the purpose of receiving disclosures. Further details can be found on the GOV.UK website: www.gov.uk/whistleblowing.

Or in pdf format at:

https://gov.uk/government/uploads/system/uploads/attachment_data/file/183340/11-641-blowing-the-whistle-to-a-prescribed-person.pdf

The individual must believe that the information given and the allegations made are substantially true and ensure that they are not acting for personal gain.

If an individual does take the matter outside of the School, they must ensure that they do not disclose confidential information which is unrelated to the issue being raised.

In making a disclosure outside of the School to a prescribed body, individuals should be aware that the disclosure must be made to an appropriate prescribed person or organisation and the individual must believe that the information disclosed and any allegations made are true.

13 External Disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases the individual should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for the individual to report concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. The School strongly encourages the individual to seek advice before reporting a concern to anyone external.

Nevertheless, the individual may wish to raise a concern with the School through the bodies cited by the Secretary of State for the purpose of receiving disclosures and referred to the preceding section or to the relevant officers within Camden cited in Section 8, for example if the concern involves the Headteacher or a Governor.

The investigating officer/s involved will treat this information confidentially and will take appropriate action to investigate the concerns or allegations made.
If an individual has not provided his/her name, he/she will be given the opportunity to contact the external body for an update. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation of any disciplinary action taken as a result. Any information about the investigation should be treated as confidential.

14 Responsible Officer

The Monitoring Officer has overall responsibility for the maintenance and operation of this policy, who in this school is the Headteacher. That person maintains a record of concerns raised and the outcomes and will report as necessary to the School.

The Whistleblowing Officer, who in this school is the Headteacher, also has day-to-day operational responsibility for this policy, and must ensure that all School Leaders and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

The Whistleblowing Officer should review this policy from a legal and operational perspective at least once a year.

All school staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. All staff are invited to comment

on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Headteacher.

15 Monitoring and Review

This is La Sainte Union School policy as at **November 2026** This policy will be subject to periodic review in accordance with legislative changes and best practice and may be amended from time to time. If we need to do something different, we will always be fair and reasonable and school staff will be advised.

Appendix 1

Advice and Information

Public Concern at Work

Public Concern at Work is an independent organisation which can provide guidance and training to employers on whistleblowing and can also offer free advice to individual's unsure whether or how to raise a concern about workplace wrongdoing.

Public Concern at Work 3rd Floor, Bank Chambers

6-10 Borough High Street

London SE1 9QQ

Telephone (general enquiries and helpline): 020 7404 6609

Email: UK enquiries: whilst@pcaw.co.uk

UK helpline: helpline@pcaw.co.uk

UK services: services@pcaw.co.uk

Advisory, Conciliation and Arbitration Service (ACAS)

ACAS operates a nationwide network of helplines which deal with queries about employment matters, including the rights and obligations arising out of employment law. The service is available to any individual or organisation free of charge. Any worker who contacts ACAS will wish to bear in mind the distinction between seeking information about the provisions of the Public Interest Disclosure Act 1998, and the requirements attached to making a protected disclosure.

General Helpline number 0845 474747

Customers with a hearing or speech impairment may prefer to contact Acas using the Text Relay service by dialling 18001 08457 474747.