

**Bury**  
**Catholic**  
**Preparatory**  
**School**

**Whistleblowing Policy**



Created by: Headteacher 2016  
**Ratified by governors October 2017**  
Updated: July 2020  
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# **BURY CATHOLIC PREPARATORY SCHOOL**

## **CONFIDENTIAL REPORTING (WHISTLEBLOWING) POLICY**

### **Mission Statement:**

*BCPS is a happy and caring school community.  
We follow Jesus' example to respect, value and nurture  
every unique individual to develop their God given talents and potential.  
We are a school where faith and future flourish.*

**This policy applies to the whole school, including the EYFS**

**This policy should be read in conjunction with the Safeguarding & Child Protection policy, Staff Code of Conduct, Staff Grievance Procedures policy. This policy has been written with regard to KCSIE (September 2019)**

### **Introduction**

Employees are often the first to realise that there may be something wrong within the School. However, they may not express their concerns because they feel that speaking up would be disloyal to colleagues or to the School. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may be just a suspicion of malpractice.

We are committed to the highest possible standards of openness, probity and accountability. We value staff and their opinions and concerns. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the School's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This policy makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. It is intended to encourage and enable employees to raise serious concerns within the school rather than overlooking a problem or 'blowing the whistle' outside. However, staff must be aware that deliberately failing to report issues of malpractice or wrongdoing will lead to disciplinary proceedings. The policy applies to all employees and those contractors working for the School on School premises, e.g. flexi staff, peripatetic staff etc.

Staff should note that there is a confidentiality clause in their contracts, and that any confidential information must not be shared outside of the School.

### **THE PROTECTED DISCLOSURES ACT 2014**

This act protects workers who 'blow the whistle' about wrongdoing. It states the types of disclosures which may be protected; the circumstances in which the disclosures are protected; and the persons who may be protected.

The provisions introduced by the Act protect most workers from being subjected to a 'detriment' by their employer.

'Detriment' may take a number of forms, such as denial of promotion, facilities or training opportunities, which the employer would otherwise have offered.

Employees may make a claim for unfair dismissal if they are dismissed for making a protected disclosure.

### **Aim and scope of this policy**

This policy aims to:

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

There are existing procedures in place to enable you to lodge a grievance relating to your own employment (see separate policy). This policy is not to be used for pursuing individual grievances or private disputes since these are covered by existing procedures/policies. This policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- conduct which is an offence or breach of the law
- disclosures related to a miscarriage of justice
- health and safety risks, including risks to the public as well as other employees
- damage to the environment or school property
- the unauthorised use of school funds
- possible fraud or corruption
- poor or unsafe practice
- failures in the School's safeguarding procedures
- abuse of pupils, or
- incidents of bullying or harassment
- other unethical conduct.

Therefore, any serious concerns that you have about any aspect of educational provision or the conduct of employees of the School acting on behalf of the School can be reported. This may be something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the School subscribes to; or
- is directly against the School's aims and policies; or
- falls below established standard of practice; or
- amounts to improper conduct.

## **Safeguards**

### **Harassment or Victimisation**

The School is committed to good practice and high standards and wants to be supportive to employees. The School recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and to the School as a whole. The School will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that might already affect you.

### **Confidentiality**

All concerns will be treated with confidence and during the early stages of an investigation will be respected. At the appropriate time, however, you may need to come forward as a witness.

### **Anonymous Allegations**

This policy encourages you to put your name to your allegations whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the School.

In exercising this discretion the factors to be taken into account would include:

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

### **Untrue Allegations**

If you make an allegation in good faith, but it is not confirmed by the investigations, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

As a first step, you should normally raise your concerns with the head teacher. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. If your head teacher is not appropriate for any reason you should raise your concerns with the deputy head, or chair of governors.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- the background and history of the concern (giving relevant dates);
- the reason why you are particularly concerned about the situation.

The earlier you express the concern the easier it is to take action.

Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

Advice and guidance on how matters of concern may be pursued can also be obtained from your Union.

You may invite your union or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

### **How the School will respond**

The School will respond to your concerns. Do not forget that testing out your concerns is not the same as accepting or rejecting them.

Where appropriate, the matter raised may:

- be investigated by the Head teacher and governors, or through the disciplinary process;
- become part of a process of mediation and dispute resolution where necessary and be resolved speedily, if possible
- when matters cannot be resolved speedily, they may become part of a disciplinary process
- if appropriate (for example, referring to safeguarding and child protection), be referred to social services or police
- form the subject of an independent enquiry.

In order to protect 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. Whilst maintaining the confidentiality of the complainant, the individual complained of

must be given details of the allegations so that they can respond. The overriding principle which the School will have in mind is in the public interest.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken into account before any investigation is conducted.

Within ten working days of a concern being raised, the responsible person, the Head teacher, will write to you:

- acknowledging that the concern has been received;
- indicating how we propose to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- telling you whether any initial enquiries have been made;
- supplying you with information on support, and
- telling you whether further investigations will take place and if not, why not;
- indicating when you can expect a further report.

The amount of contact between the staff considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the School will seek further information from you.

Where any meeting is arranged, off-site if you so wish, you can be accompanied by the union or a friend.

The school will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the School will arrange for you to receive advice and support about the procedure. The School accepts that you need to be assured that the matter has been properly addressed. Therefore, subject to legal constraints, we will inform you of the outcomes of any investigation.

### **The responsible person**

The Head teacher has overall responsibility for the maintenance and operation of this policy. They maintain a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the rest of the governors.

General guidance can be found at: <https://www.gov.uk/whistleblowing>

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)