

Welton St. Mary's Church of England Primary Academy



Our Vision

As an inclusive Christian community, we value each person, seeking to release everyone's full potential as promised by Jesus Christ. We seek to provide a safe, inspiring and creative learning environment providing opportunities for all to flourish. Through challenge, support and care, we strive for excellence in all that we do; always building on the foundations of shared values with consistently high expectations rooted in God's love. Together we are encouraged to be agents of positive change in this world.

'May the God of hope fill you with all joy and peace as you trust in him, so that you may overflow with hope by the power of the Holy Spirit.' Romans 15:13

Wisdom Hope Community Dignity

Together we care, learn and thrive

Whistleblowing Policy

Approved January 2024

Welton St Mary's CE Primary Academy

Welton St. Mary's Church of England Primary Academy, Welton, Lincoln aims to be an inspirational community of learning, which will transform the life chances of the students and make a positive contribution to the well-being of the local community and the wider world. The Academy is rooted in Christian values including Friendship, Trust, Respect, Responsibility, Forgiveness and Peace and Harmony. The Academy aims to provide outstanding educational opportunities and experiences which will enable all students, regardless of ability and background, to bring out the best in themselves, and to make a difference for good in the world.

The Academy believes that education is about the development of the whole person, and in educating each student will endeavour to:

- sharpen the mind
- enrich the imagination
- strengthen the body
- nourish the spirit
- encourage the will to do good
- open the heart to others

This policy and the associated procedures are based on these principles, aims and beliefs.

Introduction

The Academy is committed to the highest possible standards of openness, probity, and accountability in all of its activities. It also expects a high standard of conduct and integrity from employees. Any employee who has a serious concern about any aspect of the Academy's work or the actions of any of its employees should voice their concerns through established internal channels, without fear of harassment or victimisation.

Aims

This policy aims to:

- 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 trust 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 whistle-blowing 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.

1. Legislation

The requirement to have clear whistle-blowing 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 consider the [Public Interest Disclosure Act 1998](#).

2. Definition of whistleblowing

Whistle-blowing covers concerns made that report wrongdoing that is “in the public interest”.

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

- Criminal offences, such as fraud or corruption that has been, is being or is likely to be committed
- Pupils’ or staff 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 miscarriage of justice
- Actions that are contrary to any of the Academy’s policies
- Actions or behaviors that falls below established standards of practice
- Abuse and welfare of students or staff
- Harassment or victimisation of students or staff
- Any actions or concerns regarding practice that could result in a financial loss to the Academy
- The deliberate concealment of information relating to any of the above matters
- Other unethical conduct

This list is not exhaustive.

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the trust 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 or complaints procedures. There are existing procedures in place to allow staff to lodge a

grievance relating to their own employment within the Academy's Discipline, Conduct and Grievance Procedures.

Procedure for staff to raise a whistleblowing concern

As soon as an employee becomes reasonably concerned about a matter, they should first raise the issue with their line manager [the "receiving manager"], unless the disclosure concerns them, in which case the employee should write to the Headteacher or the Chair of Governors.

Disclosures involving the Head teacher should be raised with the Chair of Governors. In this case, the Chair of Governors may appoint an independent investigator to consider the case and if there are grounds for proceeding. Disclosures concerning a member of the Senior Leadership Team [SLT] should be raised with the Headteacher. This can be done via the employee's line manager.

All managers have a responsibility to act on the concerns raised, in accordance with this procedure. Failure to do so in accordance with the policy and procedure may lead to disciplinary action.

Concerns may be raised verbally or in writing and should give the background, the nature of the malpractice that is alleged; relevant dates where possible; the reasons for the concern and the names of individuals against whom the allegations are made.

If the concern is raised verbally, then the person receiving the information should put in writing, an outline of the matters raised, and this should be confirmed in writing to the employee. This should be done within 10 working days.

Once a concern is raised the receiving manager, should report the matter to the Head teacher who will appoint an appropriate manager to investigate [the "investigating manager"]. This could be the receiving manager. The Head teacher will determine whether the matter constitutes a disclosure or whether it should be dealt with under another procedure [the employee will be informed of this]. If the matter is dealt with under the Whistleblowing policy, then the employee will then be informed of the name of the investigating manager. If the matter relates to the Head teacher, the Chair of Governors will appoint the investigating manager. Due to the nature of the disclosure the Head teacher may appoint an independent external investigator to investigate the matter. If the matter relates to the Head teacher, then decisions for proceeding will be made by the Chair of Governors.

The receiving manager will then inform the employee in writing of the process to be followed.

The receiving manager will also inform any employee against whom allegations are made of the allegations. This will normally be done in writing within ten working days. However, this may be delayed if it is likely to jeopardise the investigation.

[Procedure for responding to a whistle-blowing concern](#)

The investigating manager will be responsible for deciding whether there are grounds for proceeding further with the case. Potential action that the investigating manager could take includes a

clarification of the facts, a more formal investigation or the employee may be advised that the matter is better dealt with under another policy.

Where appropriate, the matters raised may:

- be investigated by the investigating manager or internal auditors
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry by an outside body

This will be determined by the investigating manager in conjunction with the Head teacher and the Chair of Governors.

Within 4 weeks of a concern being raised, the investigating manager will write to both parties:

- indicating how the Academy proposes to deal with the matter, and where an internal investigation is to take place giving an estimate of how long it will take to provide a full response
- indicating whether further investigations will take place and if not, why not

Appendix 1 provides details of the role of the investigating manager.

Any internal investigation should take no longer than three months to complete from the date of receipt of original disclosure. As part of the investigation, the investigation manager will decide:

- whether disciplinary action be taken against any employee
- whether changes should be recommended to any Academy procedure
- whether any other action should be recommended
- These will be detailed in a final report

The investigating manager will send a copy of the final report, including recommendations, to the Headteacher; they will consider the recommendations and determine what action, if any, to take. The investigating manager will also give a response in writing to the employee who made the disclosure as soon as possible after the completion of the investigation. This response will include the outcome of the investigation and what action, if any, is to be taken, although precise details may not be given where there are legal constraints, or it would infringe a duty of confidence owed by us to someone else or where there are business reasons for not doing so.

The individual who is subject to the disclosure will also be informed of the outcome in writing and what action, if any, is to be taken as soon as possible after the completion of the investigation.

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 trust will consider whether any disciplinary action is appropriate against the person making the allegation.

Appeals & Escalating concerns beyond the trust

An employee who raises a concern and is not satisfied with the outcome or action proposed may appeal against the decision to a more senior manager within The Academy. An appeal should be made to the Chair of Governors within 5 days of receipt of the outcome letter.

The Chair of Governors will determine who should hear the appeal. The appeal should be completed within one month.

After the appeal process is exhausted, there is no further right of internal appeal. However, if the employee remains dissatisfied, they may raise the matter further by contacting an outside agency.

An employee who is subject to action arising from a whistleblowing disclosure will be able to make representations, within five working days, to the Headteacher about the outcome of the report. The Headteacher will consider these representations and may direct further investigation or review as appropriate.

Timescales

Action	Timescale	By Whom
Written acknowledgement of disclosure made in writing or if received verbally, including an outline of process to be followed	Within 10 working days	Person who receives the disclosure – the receiving manager
Confirm in writing to the person complained of that a disclosure has been received and that it is being considered. Outline the process to be followed	Within 10 working days	Person who receives the disclosure – the receiving manager
Confirmation of whether the matter is to be investigated, and if so, how it will be investigated Letters sent to employee and person complained of	Within four weeks of receipt of disclosure	Person appointed to investigate – the investigating manager
Written confirmation of outcome of investigation and action to be taken. Report sent to Head teacher recommendations and determined what action to take. Letters sent to employee and person complained of	Within three months of receipt of disclosure	Person appointed to investigate – the investigating manager
Appeal against outcome of investigation	Within five working days from receipt of outcome	Employee who makes the disclosure

Appeal carried out	Within one month of appeal	Manager appointed to hear the appeal
Appeal to Principal	Within five working days from receipt of outcome	Employee subject to the disclosure

While the investigating officer will need to adhere to the timescales indicated, the nature of some serious concerns may require the investigation to take longer than three months. In these circumstances all parties will be kept informed as to progress.

The trust encourages staff to raise their concerns internally, in line with section 4 of 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 within this link - [Whistleblowing: list of prescribed people and bodies - GOV.UK \(www.gov.uk\)](#)

Recording and monitoring

The Headteacher will maintain a register containing all concerns that are brought to the organisation's attention. These will be reported on a quarterly basis to the Chair of Governors.

All records will be treated as confidential and kept no longer than necessary in accordance with the Data Protection Act 1998. Individuals will have the right to request and have access to certain personal data. Employees will be given copies of meeting records, although some information may be withheld to protect a third party.

Approval

This policy will be reviewed every 2 years. These procedures have been agreed by the Chair of Governors who will approve them whenever reviewed

Appendix 1

The role of the investigating manager

The investigating manager will have the following responsibilities to the Academy:

- Arrange individual interviews with relevant witnesses or individuals and inform them of their right to be accompanied at the meeting by their trade union representative or work colleague
- Establish the facts/obtain statements/collect documentary evidence
- Maintain detailed records of the investigation process
- Make any recommendations for action to be submitted to a more senior

The investigating manager will have the following responsibilities towards the employee who raised the disclosure:

- Hold a formal meeting with the employee making the complaint to discuss the matter
- Inform them of their right to be accompanied at any interview by their trade union representative or work colleague
- Keep the employee up to date with progress on the matter and agree timescales for action
- Notify the employee making the disclosure about the outcome of the investigation, including how the matter will be dealt with and whether they will be required to attend an investigatory interview
- Give details of employee support mechanisms available

The investigating manager will have the following responsibilities towards the employee against whom the disclosure is raised:

- Inform the individual/individuals about whom the disclosure is made in writing of the disclosure, the seriousness of the allegations and provide any supporting evidence
- Advise in writing of the procedure to be followed
- Give the person the opportunity to respond in person and in writing to the claims made, and receive and consider any relevant evidence
- Inform them of their right to be accompanied at any interview by a trade union representative or work colleague
- Give details of employee support mechanisms available
- The investigating manager may also be required to act as a witness at any subsequent disciplinary hearing if required
- Where necessary The Academy will provide support, counselling or mediation to any team subject to investigation in order to ensure normal working relationships are resumed as effectively as possible

The manager appointed to hear an appeal will have the following responsibilities:

- Hold appeal meeting with employee who made the disclosure
- Ensure all parties are informed of their right to be accompanied at any meetings by a trade union representative/work colleague

- Review the investigation report/procedure followed and findings
- Decide whether to uphold appeal or not
- Initiate a new investigation if necessary
- Report the appeal findings in writing to the, Headteacher if applicable
- Communicate outcome in writing to the employee making the disclosure and the employee against whom the disclosure is made