



## **Cardrew Court School**

### **Confidential Reporting Procedure (“Whistleblowing”) Policy**

**May 2024**

**Review Date: September 2025**

#### **Introduction**

Cardrew Court School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees who have serious concerns about any aspect of the school’s work to come forward and voice those concerns.

This procedure makes it clear that Staff can do so without fear of victimisation, subsequent discrimination or disadvantage. It is intended to encourage and enable Staff to raise serious problems within the school rather than overlooking a problem or “blowing the whistle” outside.

The concerns raised must be specific, and where possible evidenced, to avoid malicious or vexatious allegations. The process is intended to provide a fair and unprejudiced investigation for both the complainant and the person(s) who is/are the subject of the complaint.

The School Business Manager, has specific responsibility for this procedure and is the school’s Whistleblowing Officer.

#### **Aims and Scope of this Procedure**

This procedure aims to:

- encourage staff to feel confident in raising serious concerns about practice
- provide avenues for Staff to raise those concerns and receive feedback on any action taken
- ensure that staff receive a response to 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 victimisation if they have a reasonable belief that they have made any disclosure in good faith.

The procedure is supplement to, the employee handbook. It is intended to cover serious concerns that fall outside the scope of other procedures and may relate to something which:

- is against Financial Regulations, Contract Procedure Rules, and any other part of the Council's policies and procedures which the school has adopted
- is against the school's policies and procedures, or
- falls below established standards of practice, or
- amounts to improper conduct, including, but not limited to something Staff believe may be:
  - against the law
  - a Health and Safety risk
  - suspected fraud, bribery or corruption
  - damaging to the environment
  - misuse of public money
  - corruption or unethical conduct

The school's safeguarding policy is the primary policy for reporting safeguarding concerns about the safety of children and young people. If a complaint is raised via this policy, cases will be responded to and dealt with using a separate procedure.

### **Confidentiality**

All concerns will be treated in confidence and every effort, within legal parameters, will be made to protect Staff identity. At the appropriate time, however, Staff may need to provide a statement or act as a witness and will be expected to co-operate fully with the investigation and disclose all relevant information.

### **Anonymous Allegations**

This procedure encourages Staff to put their name to their concern as anonymous allegations may often be difficult to substantiate/prove.

Concerns expressed anonymously are much less powerful but will be investigated unless the School's Trustees decides there is insufficient evidence to proceed.

### **Untrue Allegations**

If Staff raise a concern in good faith, but it is not subsequently confirmed by the investigation, no action will be taken against them. If, however, staff make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

## **How to Raise a Concern**

As a first step, if the allegation is within a particular school, you should normally raise concerns with the Headteacher and inform him/her you are using this procedure. The Headteacher would inform the School Business Manager. However, the school recognises that on some occasions this may not be appropriate. If the allegation concerns the Headteacher, you should raise your concerns with the Whistleblowing Officer in the first instance. Concerns must be raised in writing. Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have reasonable grounds to raise them. Where employees fail to report their concerns, they may become themselves implicated and consequently the school may treat failure by an employee to report such matters as a serious matter that could lead to disciplinary action. You may wish to obtain assistance in putting forward your concern from a Trade Union representative or a colleague. You may choose to be represented by a Trade Union representative or colleague at any meetings, which are required.

## **How the School will respond**

In order to protect all individuals, (those raising the concern and those who are the subject of the concern), initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations falling within the scope of specific procedures, such as Safeguarding will normally be referred for consideration under those 4 procedures. The person with whom you have raised your concern will inform the headteacher of the facts. The headteacher will write to you, within five working days with the following:

- acknowledgement that the concern has been received
- an indication of how the concern will be dealt with
- an estimate of how long it will take to provide a full response
- whether any initial enquiries have been made
- whether further investigations will take place, and if not, why not.

The Whistleblowing Officer will inform you, and the person who is the subject of the concern, in writing of the outcome of any investigation, or any action taken, subject to the constraints of confidentiality and the law (within five days of the investigation concluding). In any such investigation the Trustees/School Business Manager have a duty of care to protect the interests and wellbeing of all staff, this includes the subject of any allegation or concern. All efforts should be taken to ensure that investigations are carried out in a timely and balanced manner with full disclosure of the facts and structure of the investigation from the outset.

## **The Responsible Officer**

The School's Whistleblowing Officer has overall responsibility for the maintenance and operation of this policy within the School. Under normal circumstances the Whistleblowing Officer would carry out an initial investigation and report to the headteacher. The Headteacher would then make a decision as to proceed based on the facts, and the case for natural justice (ACAS). If the Headteacher is the subject of the concerns raised, the Trustees will complete the investigation. In

all cases the investigation has to present a balanced view of the facts and supporting documentation from both sides of the issue. The subject of the complaint should be given access to the specific concerns and statements at least five days in advance of speaking to the investigating staff, with opportunity to seek professional advice. The process should be dealt with within a four-week timeframe from the initial complaint to the time at which the Trustees decide whether to reject the concern or proceed with appropriate disciplinary procedures. The Whistleblowing Officer will maintain a record of concerns raised and the outcomes and will report as necessary to the Trustees. The recording and reporting procedure will be in a form, which ensures confidentiality, unless the concerns raised are judged to be malicious or vexatious.

### **How the Matter can be Taken Further**

This procedure is intended to provide staff with a route within the school to raise concerns but if staff do not feel their concern has been addressed adequately they may raise it with an independent body such as one of the following:

- Trade Union – if you are a member of a trade union
- the District Auditor
- Ofsted tel no. 0300 123 1231 or [www.ofsted.gov.uk](http://www.ofsted.gov.uk)
- Local Citizens Advice Bureau
- Police (in an emergency 999 or for non-urgent matters 101)
- Your Member of Parliament

Staff have a duty to the school not to disclose confidential information. This does not prevent staff from raising concerns with an independent body referred to above, or Public Concern at Work (telephone number 020 7404 6609). More information is available at <https://protect-advice.org.uk/> a registered charity which advises on serious malpractice within the workplace in accordance with the provisions of the Public Interest Disclosure Act 1998.

The subject of the complaint equally has a right of appeal to the Trustees if they feel that they have been victimised or treated unfairly by this procedure. This can take the form of a formal grievance or reviewed by the Trustees appeal panel. They will determine whether to uphold the findings, or review procedures to ensure a fair and robust procedure is used.