

WHISTLEBLOWING POLICY

Version 4.2

Review by Chairs Committee:	10 th May 2021
Adopted by Governing Body:	7 th June 2021
Next Full Review Due:	Summer 2023

Reviewer:	Chris Hunt
Governor Link:	Chair of Governors

WHISTLEBLOWING POLICY

East Barnet School, Chestnut Grove, East Barnet EN4 8PU

A. Definition

Whistleblowing is the term used when a worker reports on information concerning past, present or future wrongdoing in the public interest. The wrongdoing will typically (although not necessarily) be something they have witnessed at school.

B. Statement of Principle

East Barnet School is committed to the highest possible standards of openness, probity and accountability. In line with this commitment, we expect employees and workers who have serious concerns, as described in the policy, to disclose them, with the assurance that unfair treatment and victimisation will not be tolerated. A member of staff who is aware of a matter which could be against public interest and does not raise their concerns, may be deemed to be in collusion with any malpractice taking place.

The procedures within this policy reflect the principles in Sir Francis's Freedom to Speak Up review and the culture of East Barnet School.

C. Aims

1. Encourage members of East Barnet School's workforce to feel confident in making public interest disclosures as soon as possible.
2. Establish a culture of reflective practice and safe learning, enabling issues about safeguarding to be addressed effectively and promoting the welfare of children.
3. Ensure that individuals raising issues receive a swift response to their disclosure and that a prompt, proportionate and blame-free investigation is carried out.
4. Ensure that individuals are aware how to pursue their concerns and the appropriate steps to take if they are not satisfied with any action.
5. Reassure workers at East Barnet School that, if they raise any concerns in good faith and reasonably believe them to be true, they will be protected from possible reprisals or victimisation.

D. Requirements

1. The term 'worker' refers to permanent and temporary employees, trainees, and agency staff, all of whom will have access to the same level of support.
2. Reports on wrongdoing will count as whistleblowing if related to:
 - A criminal offence;
 - Misuse of public funds;
 - Danger to someone's health and safety;
 - Risk or actual damage to the environment;
 - The school not obeying the law;
 - A negative effect on the safeguarding and welfare of children;
 - Someone covering up wrongdoing.
3. Personal grievances (eg bullying, harassment, discrimination) aren't covered by this policy or whistleblowing law, unless a particular case is in the public interest, and other school policies may be used instead. Please see: Complaints Policy, Behaviour Policy, Safeguarding and Child Protection Policy, Anti-Bullying Policy, Staff Discipline, Conduct and Appeals Policy, Staff Grievance Policy and Allegations of Abuse Against Staff Policy.
4. The Governing Body recognises that an individual may want to raise a concern in confidence. If an individual asks for their identity to be protected, it will not be disclosed without consent. If a situation arises where a resolution cannot be reached without revealing an identity (for instance because evidence is needed in court), it will be discussed with the individual as to how best to proceed.

E. Procedures

1. Raising a Concern

- 1.1. As soon as an individual has a concern which may be of public interest they should first raise the issue with either the Headteacher or Chair of Governors (unless both are the potential transgressors, in which case they should contact the Education Funding Agency).
- 1.2. Concerns may be raised orally or in writing. The whistle-blower should either send a written report, or whoever they have contacted should produce a written report on their behalf, which they may then sign. The report should include the following:
 - 1.2.1. The background and history of the concern (giving relevant dates);
 - 1.2.2. Who is involved;
 - 1.2.3. The reason why they are particularly concerned about the situation.

NB: An individual will not be expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for concern.

- 1.3. The relevant person (usually the Headteacher) ensures that, in the most serious of concerns, the EFA is informed of all relevant matters.
- 1.4. Once a concern has been raised the Headteacher and/or the Chair of the Governing Body will look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation. The individual who has raised a concern will be given appropriate feedback/ information on the nature and progress of any enquiries. If requested, a response will be given in writing.
- 1.5. Precise action being taken may not be disclosed where this would infringe a duty of confidence owed to a third party or likely to interfere with an investigation by the police or other agency.
- 1.6. Concerns or allegations which are deemed to fall within the scope of other specific procedures will normally be referred for consideration under these procedures (for example, safeguarding). Some concerns may be resolved by agreed action without the need for an investigation. If urgent action is required, for example, the suspension of a member of staff, this will be taken before any investigation is conducted.
- 1.7. Where appropriate, the matter(s) raised may:
 - 1.7.1. Be investigated by the Governing Body, Senior Leadership Team, the Education Funding Agency or through the normal disciplinary process.
 - 1.7.2. Be referred to the police.
 - 1.7.3. Be referred to the external auditor.
 - 1.7.4. Form the subject of an independent inquiry.
- 1.8. Usually, within two weeks of a concern being raised, the person looking into the concern will write to the individual raising the concern:
 - 1.8.1. Acknowledging that the concern has been received;
 - 1.8.2. Indicating how the School propose to deal with the matter;
 - 1.8.3. Giving an estimate of how long it will take to provide a full response;
 - 1.8.4. Saying whether any initial enquiries have been made;
 - 1.8.5. Supplying information on support available to them;
 - 1.8.6. Saying whether further investigations will take place and if not, why not.
- 1.9. Subject to any legal constraints, appropriate individuals will normally be informed of the final outcome of any investigation.

2. Safeguards

- 2.1. The Governing Body will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect individuals who raise a concern in good faith.
 - 2.2. Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures already taking place concerning the individual(s) involved.
 - 2.3. No action will be taken against anyone who makes an allegation in good faith, reasonably believing it to be true, even if the allegation is not subsequently confirmed by the investigation.
 - 2.4. Every effort will be made to ensure confidentiality as far as this is reasonably practical.
 - 2.5. Help will be provided to individuals in order to minimise any difficulties, which they may experience. This could include advice on giving evidence if needed. Meetings may, if necessary, be arranged off-site with the relevant individual, if they so wish.
3. Any individual who is not satisfied with the investigation or action taken by the Headteacher or Governing Body may consider the following possible contact points:
- 3.1. The Government's Education Funding Agency;
 - 3.2. Trade Unions/Professional associations;
 - 3.3. The Citizens Advice Bureau and/or law centre/firm;
 - 3.4. Relevant professional bodies or regulatory organisations;
 - 3.5. The Information Commissioner;
 - 3.6. A relevant voluntary organisation;
 - 3.7. The Police and/or Health and Safety Executive;
 - 3.8. Protect – speak up, stop harm. Tel. 020 3117 2520 or www.protect-advice.org.uk