



Whistle Blowing Policy

WOLSEY HOUSE PRIMARY SCHOOL



HEADTEACHER: MR S. POWELL
CHAIR OF GOVERNORS: MR M. PEATFIELD

1 Introduction

This policy applies to all employees, volunteers and governors. Other individuals performing functions in relation to the organisation, such as agency workers and contractors, should have a copy of this also or have least read a copy; to this end, a copy is made available on the school website.

It is important to Wolsey House Primary School that any fraud, misconduct or wrongdoing by employees, volunteers or governors of the school is reported and properly dealt with. The Governing Body will, therefore, respond to all individuals who raise any genuine concerns that they may have about the conduct of others in the school, **which are in the public interest**. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

1.1 Wolsey House Primary School expects the highest standards of conduct from all employees, volunteers and governors and will treat seriously any concern raised about illegal or improper conduct.

1.2 Any individual covered by this policy will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the Headteacher (or the Chair of Governors if the concerns relate to the Headteacher) any serious impropriety or breach of procedure.

1.3 Employees and volunteers who do not follow the steps identified in this procedure or other agreed internal procedures, and take their concerns to other outside sources (e.g. the press), may be subject to a formal disciplinary investigation.

1.4 Employees who feel no action has been taken after following their school's whistleblowing procedure or, feel that following the school's whistleblowing procedure could increase the risk of harm to a child/adult, can contact the following organisations for information and support:

Leicester City Safeguarding Children's Unit or LADO	01164542440
Children's Social Care, Duty and Advice	01164541004
NSPCC Whistleblowing Help Line	0800 028 0285

Don't think, "What if I'm wrong?" – Think, "What if I'm right?"

2 Background

The law provides protection for employees and volunteers who raise legitimate concerns about specified matters. These are called 'qualifying disclosures'. A qualifying disclosure is one made in the public interest by the employee who has a reasonable belief that:

- A criminal offence
- A miscarriage of justice
- An act creating risk to health and safety
- An act causing damage to the environment
- Corruptly receiving any gift or advantage, thus failing to comply with the Bribery Act 2010
- Allowing private interests to override the interests of the school
- A breach of any legal obligation; or
- Concealment of any of the above is being, has been, or is likely to be, committed. It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be committed,- a reasonable belief is sufficient. The employee has no responsibility for investigating the matter; it is the school's responsibility to ensure that an investigation takes place.

2.1 Where the concerns are about **safeguarding children or young people**, the school's Designated Safeguarding Lead for Child Protection should be notified (See section 7.2).

2.2 It is a procedure in which the Headteacher or Chair of Governors will be expected to act swiftly and constructively in the investigation of any concerns in accordance with the school's disciplinary procedure.

2.3 Concerns about a colleague's professional capability should **not** be dealt with using this procedure (but see section 7 below).

3 When should it be used?

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken he/she should use the school's Grievance procedures.

Where a disclosure is merely an expression of opinion that fails to show that a legal obligation has been or is likely to be breached, it **cannot** amount to a protected or qualifying disclosure for the purposes of the whistle blowing legislation

3.1 So this procedure is not designed to replace or be used as an alternative to the grievance procedure, which should be used where an employee is only aggrieved about his/her own situation. Nor should this policy apply where the employee simply disagrees with the way the school is run.

3.2 Employees and volunteers must have reasonable grounds for believing the information they have is accurate and not just idle gossip or rumour.

3.3 An employee who makes such a protected disclosure has the right not to be dismissed, subject to any other detriment, or victimised, because he/she has made a disclosure, provided it has not been made maliciously. Any employee who uses this procedure will not be penalised for doing so. The employer will not tolerate harassment and/or victimisation of any employee raising concerns.

3.4 An employee who is not sure whether the conduct he/she is concerned about does constitute illegal or improper conduct or is unsure about how to proceed may contact the Leicester City Council HR Department – 0116 454 4310 or email: hrpolicy@leicester.gov.uk or their Professional Association/Trade Union.

3.5 Financial regulations require that any suspicion of fraud, corruption or other financial irregularity is reported to Internal Audit for possible investigation. Normally an employee must first report any suspicion of such an irregularity to the Headteacher or Chair of Governors (but see 5), who will in turn report it to Internal Audit. Similar principles apply to Academies where the funding agency must be informed.

4. Principles

4.1 Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the employee who raised the issue.

4.2 No employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the employee will not be prejudiced because he/she has raised a legitimate concern.

4.3 Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.

4.4 If misconduct is discovered as a result of any investigation under this procedure the matter will be considered under the disciplinary procedure, in addition to any appropriate external measures.

4.5 Maliciously making a false allegation is a disciplinary offence.

4.6 An instruction to cover up wrongdoing is in itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority, employees and volunteers should not agree to remain silent.

5. Procedure

This process is summarised as a Flowchart at **APPENDIX 1**

5.1 In the first instance, unless the employee reasonably believes his/her Headteacher to be involved in the wrongdoing, any concerns should be raised with the employee's Headteacher. If he/she believes the Headteacher to be involved, then the employee should proceed straight to the Governing Body or point 5.3 below. Ideally put your concerns in writing (using the form provided at **APPENDIX 2**), outlining the background and history, giving names, dates and places where you can.

5.2 The Headteacher/Chair of Governors will arrange an investigation into the matter (either by investigating the matter herself or immediately passing the issue to someone in a senior position). The investigation may involve the employee and others involved giving written statements. Any investigation will be carried out in accordance with the principles set out above. The employee's statement will be taken into account and he/she will be asked to comment on any additional evidence obtained.

Employees or volunteers who want to use the procedure but feel uneasy about it may wish to consult their Professional Association/Trade Union initially and bring a colleague or Professional Association/Trade Union Representative along to any discussions, so long as the third party is not involved in the issue.

Where anonymity is requested efforts will be made to meet the request where appropriate but that might not always be possible. The earlier and more open the expression of concern the easier it will be to take appropriate action.

5.3 The Headteacher (or the person who carried out the investigation) will then report to the Chair of Governors/Governing Body who will take the necessary action, including reporting the matter to any appropriate department or regulatory agency. If disciplinary action is required this will be taken forward by the Headteacher/Chair of Governors/Governing body in consultation with the School's HR Advisory Team. On conclusion of any investigation, the employee will be told the outcome of the investigation and what the next steps will be. If no action is to be taken, the reason for this will be explained.

If the employee is concerned that his/her Headteacher is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigation, he/she should inform the Local Authority Investigations Team on 0116 252 7415 or via email at investigations@leicester.gov.uk. Details will be presented to the monitoring officer, who will take any necessary urgent action, taking into account the circumstances and any evidence and will determine how to respond to the disclosure. The Monitoring Officer is currently the Service Director for Legal Services.

Employees or volunteers who feel unable to follow this route, for whatever reason, have the option of contacting one of the following:

- HM Revenue and Customs
- The Financial Services Authority
- The Office of Fair Trading
- The Health and Safety Executive
- The Environment Agency
- The Director of Public Prosecutions
- The Serious Fraud Office
- The Education Funding Agency
- The Department for Education
- The National College for Teaching and Leadership

What happens next?

The Headteacher/Chair of Governors will arrange an investigation into the matter (either by investigating the matter himself/herself or immediately passing the issue to someone in a senior position). The investigation may involve the employee and others involved giving written statements. The employee's statement will be taken into account and he/she will be asked to comment on any additional evidence obtained. An individual will not be expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

Preliminary inquiries may be made to help decide how best to respond in the public interest. Depending on the nature of the issue raised, the response may be one or more of the following:

- management investigation;
- internal audit investigation;
- disciplinary investigation;
- referral for consideration under another Council procedure;
- referral to the police;
- referral to the District Auditor;
- an independent investigation;
- amend procedures;
- no action due to lack of sufficient evidence.

The employee raising the concern should be given information on how the matter is likely to be dealt with within **10 working days** of making the disclosure (so far as legally possible and subject to rights of confidentiality).

Employees who want to use the procedure but feel uneasy about it may wish to consult their Professional Association/Trade Union initially and bring a colleague or Professional

Association/Trade Union Representative along to any discussions, so long as the third party is not involved in the issue. If a Trade Union/Professional Association representative raises the concern on someone else's behalf, they will be automatically afforded the same protection from detriment. In addition, the independent charity Protect provides advice to individuals on whistleblowing in the public interest on a strictly confidential basis (<https://protect-advice.org.uk/> / 020 3117 2520).

Where anonymity is requested, efforts will be made to meet the request where appropriate but that might not always be possible. The earlier and more open the expression of concern, the easier it will be to take appropriate action. Anonymous disclosures will be considered to the extent that it is reasonable and practicable to do so, although the need to confirm or follow up evidence may make this difficult.

6 What should be done if an issue is raised with a member of staff?

6.1 If a member of staff, other than the Headteacher, is approached by a colleague on a matter of concern as defined in this document, he/she is advised to take the matter to the Headteacher as above point 5.

7 Safeguarding Children and Young People

7.1 All employees and volunteers have a duty to report concerns about the safety and welfare of pupils/pupils.

7.2 Concerns about any of the following should be reported to the Designated Safeguarding Lead for Child Protection (DSL):

- physical abuse of a pupil/pupil
- sexual abuse of a pupil/pupil
- emotional abuse of a pupil/pupil
- neglect of a pupil/pupil
- issues relating to Female Genital Mutilation, Child Missing from Education, Child Sexual Exploitation & Radicalisation
- an intimate or improper relationship between an adult and a pupil/pupil
- improper behaviour or conduct of staff towards children

Wolsey House Primary School DSLs are; Steve Powell, Helen King, Julie Cooper-Marsh, Yasin Ismail, Emily Satchwell, Jim Baker, Ginny Southwell, Jacqui Hayes, Leanne Watts and Steve Punchard.

7.3 The reason for the concern may be the actions of a colleague (including a more senior colleague), a Governor, another pupil/pupil or someone outside the school. Whatever the reason, concerns must be reported. Failure to report a Child Protection related allegation will be in itself, a disciplinary matter.

Law Relating To This Document

Employment Rights Act 1996

Public Interest Disclosures Act 1998 (Whistleblowing)

Human Rights Act 1998 (Duty of care)

The legislation protecting individuals who makes a protected disclosure applies not only to employees, but also to any person who undertakes to do or perform personally (or otherwise) any work or service for the employer, regardless of the nature of the contractual relationship between them.

A Whistleblowing Policy should establish the procedure for an employee to follow if he/she has a genuine concern about a colleague's conduct or the organisation's practices. The Whistleblowing Policy should make clear what sort of allegations will count as a protected disclosure and should allow for the employee to raise these concerns with a nominated person and set out the steps that the employer will take in response.

A qualifying disclosure means any disclosure of information that in the reasonable belief of the worker is made in the public interest. The requirement that a whistleblower make a qualifying disclosure 'in good faith' has been removed. Therefore, while the employer can seek a declaration from the whistleblower that he or she is not knowingly making a false allegation, disciplinary action is likely to be appropriate only where there is clear evidence that the employee has misused the whistle blowing procedure. A consequence of the requirement that a disclosure be made in the public interest is that an employee will generally be precluded from being able to 'blow the whistle' about breaches of his or her employment contract.

Section 43J of the Employment Rights Act 1996 provides that a Settlement Agreement made between an employee and employer cannot prevent future protected disclosures.

Any confidentiality obligations in contracts of employment that would prevent an employee making a protected disclosure will be void.

Contacts

Leicester City Council HR Department

E mail address

Tel: 0116 454 4310

Email: hrpolicy@leicester.gov.uk

Leicester City Council, Safeguarding Children's Unit

Tel: 0116 454 2440

Duty and Advice

0116 454 1004

LADO – Local Authority Designated Officer, Katherine Lockwood

0116 454 2440

Head Teacher of School – Mr Steve Powell

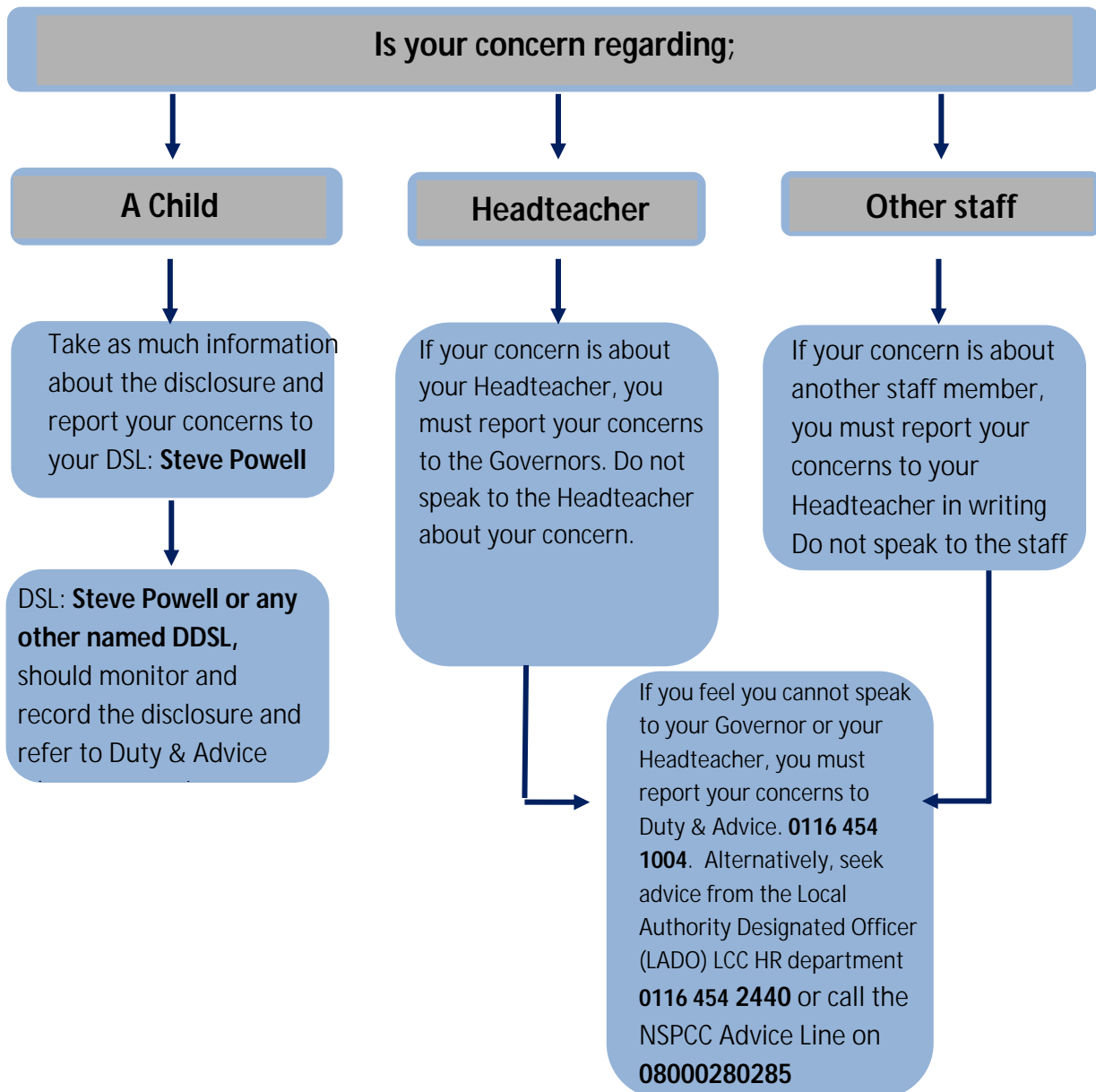
Tel: 01162 667 566

Chair of Governors – Mr Matthew Peatfield

mpeatfield1@wolseyhouse.leicester.sch.uk

Public Interest Disclosure Act 1998 (whistleblowing) protects workers in private, public and voluntary organisations, if in the public interest they blow the whistle on wrongdoing.

If you want to raise a concern in your school and wish to whistle blow for wrongdoing, in the first instance, use the following diagram for guidance;



Raising Awareness of this Policy

We will raise awareness of this policy via:

- the School Handbook/Prospectus
- the school website

- the Staff Handbook
- reports such as the annual report to parents and Headteacher reports to the Governing Body

All school personnel:

- have equal chances of training, career development and promotion
- receive training on this policy on induction which specifically covers:
the school's whistleblowing procedures
- Confidentiality
- Safeguarding and Child Protection
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.


Monitoring the Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the Headteacher and the nominated governor.

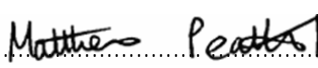
A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement. (See Policy Evaluation)

Reviewed: September 2025

Review: September 2026

Signed.....
(Headteacher)

Date: September 2025

Signed.....
(Chair of Governors)

Date: September 2025

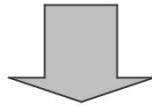
APPENDIX 1 - THE WHISTLEBLOWING PROCESS

Stage 1- Making a disclosure

Approach your Manager, Headteacher, DSL or LADO and share your concerns. You can do this verbally or in writing.

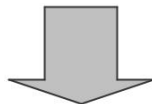
You may be asked to consider making a written or verbal statement. In such cases, a brief summary of the interview will be made and agreed by both parties.

Please see the Whistleblowing Policy for details of further contacts should you feel unable to discuss your concerns with the above parties (or feel that the response from these parties is insufficient)



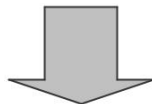
Stage 2 – Initial Response to the Disclosure

Consideration will be given as to what action will be taken as a result of the disclosure. You will be notified of the intended response and the reasons for it.



Stage 3 – Launch a Management Investigation

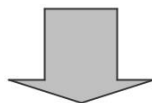
Where a Management Investigation is deemed necessary, a senior manager will be appointed as an investigating officer.



Stage 4 – Deciding whether further action is necessary

On the strength of the information provided by the investigation, further action may be necessary:

- If there is a case to be answered by any individual, the recognised procedure will be followed;
- Where there is no case to answer, but the concern was raised in good faith and in accordance with the Whistleblowing policy, the school will ensure as far as is reasonably practicable that you suffer no reprisals or victimisation;
- Where it is established that the allegations were malicious/vexatious or you have not acted in accordance with the Whistleblowing policy, disciplinary action may be taken.



Stage 5 - Confirmation of the Outcome

You will be informed of the outcome of the investigation and any appropriate action taken to resolve the matter, subject to any confidentiality clause and/or legal constraints. If you are dissatisfied with this response you may take the matter further with the prescribed persons or organisations identified in the Whistleblowing Policy.

APPENDIX 2 - WHISTLE BLOWING POLICY - REPORTING FORM

Referral Form to be completed by Individual identifying a concern under the Public Interest Disclosure Act 1998

DETAILS OF PERSON RAISING CONCERNS AND ISSUE RAISED

Nature of Concern:

--

Background (please provide dates where possible):

--

Who is involved?

--

Reasons for the concern:

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Name :	Date (dd/mm/yy) : / /
Contact No.	Time (mm:hh) : :

Meeting Date (dd/mm/yy): / /	Time (mm:hh): :
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INVESTIGATION OF CONCERN

Concern Received By:	Investigations Audit Team : HR:
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Action :

Signature:.....

Time: (mm:hh): :

ADDITIONAL INFORMATION

Comments/Additional information: