

## **Polisi Chwythu'r Chwiban i Staff Ysgol** **School Staff Whistleblowing Policy**

Ysgol y Gelli



**Dyddiad Cymeradwyo/Date Adopted:**

**Dyddiad Adolygu/Review Date:**

Llofnodwyd ar ran Cadeirydd y Llywodraethwyr: \_\_\_\_\_

*Ffion Longreen*

Dyddiad: 12/2/26

Part IVA: protected disclosures sets out the full statutory rights and obligations of members of staff wishing to whistleblow. Where members of staff are unclear about any of the Part IVA requirements they should seek further advice. Protect is an independent charity that provides free advice for persons who wish to express concerns about fraud or other serious malpractice (telephone 020 3117 2520 or [protect-advice.org.uk](http://protect-advice.org.uk)). Members of staff could also approach their trade union for further advice.

#### **4. Safeguard Against Reprisal, Harassment and Victimisation**

The governing body will not tolerate harassment or victimisation of members of staff when matters are raised in accordance with Part IVA provisions. Any member of staff who victimises or harasses a member of staff as a result of their having raised a concern in accordance with the whistleblowing policy will be dealt with under the governing body's staff disciplinary procedures.

Part IVA provides protection to employees in circumstances where their disclosure can be classed as a protected disclosure. Under Part IVA it would be automatically unfair to dismiss or make any employee/member of staff redundant because they had made a protected disclosure, and it would be unlawful to subject them to any other detriment, such as demotion or a fine. In the event of such action an Employment Tribunal has the power to order re-instatement, re-engagement or order the award of compensation to successful claimants.

#### **5. Confidentiality**

The governing body recognises that members of staff may want to raise concerns in confidence and will do its utmost to protect the identity of members of staff who raise a concern and do not want their name disclosed.

However, investigation into the concern could reveal the source of the information and statements may be required from the member of staff as part of the evidence, which would be seen by all parties involved. If the investigation leads to prosecution the whistleblower could be called in to give evidence in court.

The governing body will not place members of staff under pressure to give their name and will give due consideration to proceeding with investigating the concern on the basis of an anonymous allegation.

#### **6. Anonymous Allegations**

Staff should put their name to allegations whenever possible - anonymous concerns are much less powerful. Nonetheless anonymous allegations will be considered under this whistleblowing procedure, especially concerns raised relating to the welfare of children. In relation to determining whether an anonymous allegation will be taken forward the governing body will take the following factors into account:

- the seriousness of the issue raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources, and obtaining information provided.

#### **7. Untrue and Malicious/Vexatious Allegations**

If a member of staff makes an allegation but it is not confirmed by further inquiry the matter will be closed and no further action taken. If, however, the inquiry shows that untrue allegations were malicious and/or vexatious or made for personal gain then the governing body will consider taking disciplinary action against the member of staff who made the allegations.

#### **8. Allegations Concerning Child Protection Issues**

If a member of staff raises a concern related to a safeguarding issue, the headteacher or chair of governors must not undertake their own internal safeguarding enquiries but should urgently consult the LA Designated safeguarding person (DSP) responsible for providing advice and monitoring cases (or if they are not available

- giving an estimate of how long it will take to provide a final response
- advising whether any enquiries have been made
- advising whether further enquiries will take place
- informing you of support available whilst matters are looked into, and maintaining confidentiality wherever possible, but also explaining that it may not be possible that you can remain anonymous.

## 12. The Inquiry Process

The appointed person will:

- Look into the allegation - seeking evidence and interviewing witnesses as necessary.
- Maintain confidentiality wherever possible but will be mindful that there is no guarantee that the whistleblower can remain anonymous.
- If appropriate, bring the matter to the attention of the LA appointed person dealing with complaints about financial management of schools.
- If appropriate, for concerns of criminal behaviour refer the matter to the police.
- If appropriate, for concerns of safeguarding, refer the matter to the LA officer designated to lead on safeguarding/local authority social services designated manager for safeguarding. The whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

If the person appointed by the governing body needs to talk to you, you are permitted to be accompanied by a trade union or professional association representative or a fellow member of staff not involved in the area of work to which the concern relates.

The target is to complete the inquiry within 10-15 working days from the date of the initial written response. If the enquiry extends beyond the timescales outlined for specific reasons all individuals concerned will be notified of this in writing with an indication when the inquiry will be completed.

## 13. The Inquiry Report

Following completion of the inquiry process the person appointed [name/status] will make a written report and submit to the chair of the governing body normally within 5 working days. The report will not contain the whistleblower's name unless you have expressly stated that you wish to be named.

Following receipt of the inquiry report, the chair of governors will convene a committee with at least one other governor and an independent person from outside the governing body, e.g., the LA or a governor of another school to consider the inquiry report and decide on the action to be taken. This should normally take place within 5 - 10 working days following receipt of the inquiry report.

Following notification of the committee's decision, the chair of governors will notify you of the outcome normally within 5 working days (except in relation to anonymous allegations), setting out the action to be taken or that no further action is to be taken and the reasons why.

## 14. Taking the Matter Further

If no action is to be taken and/or you are not satisfied with the way the matter has been dealt with, you can make a complaint under the governing body's complaints procedure or raise your concerns with other organisations such as the ones listed below:

- the local authority
- a diocesan authority (for Church schools)

## Guidance Note for Members of Staff

This guidance should be followed if you suspect any conduct or practice in any area of the school's activities which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice.

### DO

- Make an immediate note of your concerns.
- Note all relevant details such as what was said in telephone or other conversations, the date, time and the names of any parties involved, or any action observed.
- Convey your suspicions to someone with the appropriate authority and experience e.g., your line manager, a member of the senior management team, the headteacher, chair of governors.
- Deal with the matter promptly.
- Keep a copy of all notes/details, etc.
- Ask for a copy of your school's whistleblowing policy if this has not routinely been made available to all school staff.

### DO NOT

- Ignore it or assume someone else will report it.
- Be afraid of raising your concerns. You must not suffer any recrimination as a result of voicing a reasonably held suspicion. The headteacher and/or chair of governors will treat any matter you raise sensitively and confidentially wherever possible (if you feel that the matter raised is not being treated sensitively and seriously then seek professional or alternative advice).
- Approach or accuse any individuals directly.
- In relation to safeguarding cases, investigate or ask leading questions, make assumptions or offer alternative explanations or promise confidentiality - the persons should be advised that the concern will be shared on a 'need to know' basis.
- Convey your suspicions to anyone other than those with the proper authority although other organisations such as a trade union or professional association may help you raise your concerns.
- If you wish to remain anonymous, do not include your name/ position or any other information which could lead to your identity being disclosed.

**Remember the Employment Rights Act 1996, namely "Part IVA: protected disclosures" protects you from victimisation by dismissal, redundancy or any other detrimental action provided you:**

- have disclosed the information which you believe to be substantially true, and it was reasonable to make the disclosure
- have not acted maliciously or knowingly made a false allegation.
- are not seeking any personal gain.