Eastern High
Whistleblowing Policy

INTRODUCTION

Staff are often the first to realise that there may be something significantly wrong within the school, and under the Employees' Code of Conduct are required to report such matters. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The school is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect workers, and others that we deal with, who have serious concerns about any aspect of the schools work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This Policy is intended to encourage and enable workers to raise serious concerns within the school rather than overlooking a problem or blowing the whistle outside.

AIMS AND SCOPE OF THIS POLICY

This policy aims to:-

encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice

provide avenues for you to raise those concerns and receive feedback on any action taken

ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied

reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in the public interest

The Whistleblowing Policy is intended to cover serious concerns such as:

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public, service users, as well as other employees
- damage to the environment
- the inappropriate or unauthorised use of public funds or other resources
- possible fraud and corruption abuse of clients, or other unethical conduct.

Concerns raised under this policy may lead to other school policies or procedures being instigated (safeguarding / child protection, financial, complaints, Health & safety)

PROTECTION AND SAFEGUARDS AGAINST HARASSMENT OR VICTIMISATION

The school is committed to good practice and high standards and wants to be supportive of employees and others covered by this policy.

Your legal rights

The Public Interest Disclosure Act 1998 provides legal protection, in certain circumstances, to workers making disclosures in the public interest about malpractice (referred to as 'Protected Disclosures'). The Act makes it unlawful for the school to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

The school recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

The school will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action, including disciplinary action if necessary, to protect you when you raise a concern in the public interest.

Support to you

Throughout this process:

you will be given full support from Senior Management

your concerns will be taken seriously; and

the school will do all it can to help you throughout the investigation e.g. provide advocacy services, interpreters etc.

If appropriate, the school will consider temporarily re-deploying you for the period of the investigation.

For those who are not school employees, the school / Council will endeavour to provide appropriate advice and support wherever possible.

Any investigation into allegations of potential malpractice will not influence or be influenced by other procedures such as investigations and hearings under the disciplinary, sickness, capability, redundancy or any other dismissal procedures that already affect you or may affect you in the future

CONFIDENTIALITY

All concerns reported in the public interest will be treated in confidence and your identity will not be revealed without your consent, unless disclosure is required by law or is necessary for the school to address the concerns. This will be discussed with you. You should appreciate that it may not be possible to properly investigate your concerns without revealing the source of the information, and you may be asked to come forward as a witness and give a statement as part of the evidence at the appropriate time.

ANONYMOUS ALLEGATIONS

This Policy encourages you to put your name to your allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the school. It should be remembered that wherever possible confidentiality will be preserved.

In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

The school would prefer you to express your concerns anonymously, if necessary, rather than remain silent about wrongdoing within the Council.

UNTRUE ALLEGATIONS

If you make an allegation in the public interest, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an untrue allegation frivolously, maliciously or for personal gain, disciplinary or any other appropriate action may be taken against you.

The school is committed to ensuring the safe and appropriate use of personal information in line with the principles of the Data Protection Act, and has adopted a Data Protection Policy and Procedure for this purpose. If you have any concerns regarding the processing of personal data, you should refer to the Data Protection Policy and Procedure and seek advice from the Resource & Partnerships Manager.

HOW TO RAISE A CONCERN

As a first step, you should normally raise concerns with your immediate manager or the next level of management. In some cases it may be more appropriate to raise concerns with someone more senior or directly with one of the internal contacts listed at the end of this document. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that your management is involved, you should approach the Chair of Governors. If any information raises concerns about harm or potential harm to either children or vulnerable adults, then these concerns should be reported immediately to the Children's Access Point (CAP) or the POVA (Protection of Vulnerable Adults) Support Team as the case may be, or out of hours to the Emergency Duty Team.

Concerns may be raised verbally or in writing. If you wish to make a written report, you are invited to use the following format:-

- the background and history of the concern (giving relevant dates); and
- the reason why you are particularly concerned about the situation.

If your concern is raised verbally, a written note will be taken in line with the format above.

The earlier you express the concern the easier it is to take action.

Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

Advice or guidance on how to pursue matters of concern may be obtained from your line manager or the people named in the Internal Contact List at the end of this document.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or have the same concerns.

You may invite your trade union representative or a work colleague to be present during any meetings or interviews in connection with the concerns you have raised.

HOW THE SCHOOL WILL RESPOND

The person to whom you report your concerns under this policy must, in turn, report them to SLT / Governing body within five working days.

The school will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them, if necessary the school will also liaise with the council.

Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary process
- lead to other policies or procedures being instigated, such as child protection procedures
- be referred to the police
- be referred to the Wales Audit Office
- form the subject of an independent inquiry.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the school will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection, vulnerable adults and discrimination or harassment issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within ten working days of a concern being raised, the school will write to you:

- acknowledging that the concern has been received
- indicating how the school proposes to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling you whether any initial enquiries have been made
- supplying you with information on support available to you, and
- telling you whether further investigations will take place and if not, why not.

The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential

difficulties involved and the clarity of the information provided. If necessary, the school will seek further information from you.

Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union representative or a work colleague.

The school will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the school / council will arrange for you to receive advice about the procedure.

The school accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation but you must keep that information confidential.

MONITORING AND REVIEW

The school has responsibility for the maintenance and operation of this policy. That school maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Governing Body and possibly via the Council's Standards and Ethics Committee.

The Standards and Ethics Committee is authorised on behalf of the Council to oversee and monitor the Council's Whistleblowing procedures and consider any ethical issues arising.

HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide you with an avenue within the school to raise concerns. The school (with advice from the Council) believes this is the most effective way to address your concerns and hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the school, further possible contact points are given in the External Contact List at the end of this booklet.

If you raise your concerns outside of the school with a 'Prescribed Regulator' (please see the External Contacts List), you will still be entitled to the statutory protection of the Public Interest Disclosure Act *if* you reasonably believe you have acted in the public interest, the information / allegations are true and the matter is within the responsibility of that Regulator. If you make a wider disclosure, for example, to the media, there is a risk that you may not be statutorily

If you do take the matter outside the school, you will also need to ensure that you do not disclose information which should properly remain confidential. You will need to confirm this with the person or organisation you decide to contact. However, you should note that, by law, you cannot be prevented from making a Protected Disclosure (an appropriate lawful disclosure under the Public Interest Disclosure Act) by any confidentiality clause in an agreement between you and your employer (for example, in a Settlement Agreement), and any such clause will be legally invalid.

You should take advice, for example, from the independent charity, Public Concern at Work (contact details listed in the External Contacts List below), trade union representatives, before raising your concerns outside of the school to make sure that you are protected.

CONTACT LIST

Advice or guidance about how to pursue matters of concern may be obtained from any of the people named below:

Head teacher
Chair of Governors
County Clerk and Monitoring Officer Marie Rosenthal 029 2087 3860
Corporate Director, Resources and Section 151 Officer Christine Salter 029 2087 2300
Audit and Risk Manager Derek King 029 2087 2248
Standards & Ethics Committee Richard Tebboth Contactable via Chair (Independent)
Committee Services 029 2087 2412

Any Chief Officer or any local trade union official.

Concerns about harm or potential harm to either children or vulnerable adults should be reported immediately to:

Head teacher 02920 792751 ext 6008
Deputy Head teacher 02920 792751 ext 6097
Child Protection Officer 02920 792751 ext 6150
Chair of Governors
The Children's Access Point (CAP) 029 2063 6490
POVA Support Team (Protection of Vulnerable Adults) 029 2053 6436
Emergency Duty Team (out of hours) 029 2078 8570
Operational Manager, Safeguarding Children and Vulnerable Adults 029 2087 3830
Concerns regarding the processing of personal data may be discussed with the Information Governance Manager, contactable on 02920 873317

EXTERNAL CONTACT LIST

If you have used the appropriate internal procedures and are not satisfied with any action taken in relation to your concerns and if you feel it is right to take the matter outside the School / Council, further possible contact points are given below. It is stressed that the list below is not exhaustive and you are free to contact any organisation which you feel will be able to deal properly with your concerns.

Prescribed Regulators

Auditor General for Wales 029 2032 0500
Wales Audit Office Whistleblowers' Hotline 01244 525980
Public Services Ombudsman for Wales 0300 790 0203

Environment Agency 03708 506 506 or 0800 807060 (24 hour line)

Health and Safety Executive 0845 300 9923 (fatal and major incidents only) or www.hse.gov.uk

Care and Social Services Inspectorate for Wales 0300 062 8800

Children's Commissioner for Wales 01792 765600

Food Standards Agency 020 7276 8000 or 020 7270 8960 (emergencies only)
Information Commissioner 01625 545745

National Society for the Prevention of Cruelty to Children (NSPCC) 0808 800 5000

Other

Older People's Commissioner for Wales 0844 264 0670
Professional bodies

Eg. The Chartered Institute of Public Finance and Accountancy (Wales) 029 2052 3470

South Wales Police 101 or 999 (emergencies only)

Your local Citizens Advice Bureau See Yellow Pages for local numbers

Your trade union

If you are unsure whether or how to use this procedure or want independent advice, you may contact the independent charity Public Concern at Work on 020 7404 6609. Their lawyers can give you free confidential advice at any stage on how to raise a concern about serious malpractice at work.

Date Approved by Full Governing Body	**3rd May 2023**
Signed on behalf of Full Governing Body	
Name (Chair of Governors)	**Gordon Plant**
Acting Head teacher signature	
Head teacher	**Kay Adams**
Date	**20th February 2025**
Date of next review	**May 2027**