



Brampton Abbotts CE Primary School



Bridstow CE Primary School



Oak Meadow Federation

## WHISTLEBLOWING POLICY

### Chapter 6

#### STAFF CODE OF CONDUCT POLICY SUITE

This policy will be reviewed and updated by the governing body at least annually.  
All references to 'the school' imply both Brampton Abbotts and Bridstow Primary Schools.

Date signed off by full governing body: 17<sup>th</sup> October 2022

Signed Daniel Brearey, Head teacher

Paul Mason, Chair of governors

Date next review due: October 2023

## Introduction

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Our vision is rooted in Psalm 1:3: 'You are like a tree, planted by streams of water that never run dry. Your fruit ripens in its time; your leaves never fade or curl. In all you do, you prosper'. Through our Christian ethos we seek to nurture every child to reach their potential by working together in friendship, growing together in honesty and respect, and flourishing together in happiness. High standards of professional and personal conduct by all members of staff are crucial in achieving this. Teachers also have a particular set of professional expectations as set out in the Teachers' Standards, which include a recognition that effective behaviour management is key to maintaining a good and safe learning environment.

Our approach is to ensure that our school environment (both for learners and teachers) is one in which good, honest and open communication mitigates the need for formal disciplinary or grievance processes. This suite of policies aims to set out:

- our commitment to ensure that staff conduct enables our commitment to flourishing together;
- clear expectations of staff conduct, including examples of misconduct which would warrant disciplinary action;
- consistent and fair processes in the event of matters of discipline or grievance at work, and;
- what to do if an employee needs to raise any concerns (also known as whistleblowing).

This policy suite contains the following chapters:

[Chapter 1](#): Staff code of conduct

[Chapter 2](#): Staff disciplinary procedures

[Chapter 3](#): Staff grievance procedures

[Chapter 4](#): Lone working

[Chapter 5](#): Visitors, volunteers and helpers

[Chapter 6](#): Whistleblowing

Staff members are expected to be aware of and compliant with all school policies, but other key policy suites to which to refer in the context of conduct are:

- Staff Conditions of Service
- Child Protection & Safeguarding
- Equality
- Recruitment & Performance Management
- Governance
- Estate Management (especially its chapter on Health & Safety)

## Complaints and whistleblowing

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Complaints should follow the procedures as set out in the Complaints Policy on our website. Staff members' responsibilities and rights under the whistleblowing policy (for any aspect of school life) are set out at Chapter 6.

## Compliance

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This policy is set out in line with the [Teachers' Standards](#), the [local authority's code of conduct for schools](#), the [ACAS Code of Practice on disciplinary and grievance procedures](#), and the [ACAS guide on discipline and grievances at work](#). A list of relevant legislation is at Appendix 2. It summarises the detailed Herefordshire Council (Hoope) School policies, which are available from the school office.

## CHAPTER 6: WHISTLEBLOWING

This chapter is set out in line with Hoople policy HR025. Whistleblowing is the term used when an employee passes on information about a perceived wrong-doing. This is usually, but not limited to, something which has been witnessed as work.

### 6.1 Enabling environment

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It is important that any fraud, misconduct or wrong-doing is reported and properly dealt with. Individuals should feel able to raise concerns that they may have about the conduct of others or the way in which the school is run. These concerns could relate for example to:

- a safeguarding concern;
- a criminal offence, such as fraud;
- a potential cover-up;
- risk or actual damage to person or property.

Concerns of a more personal nature (e.g. where a member of staff feels they have not been treated fairly) are dealt with through the grievance procedure.

Any matter raised will be investigated thoroughly, promptly and confidentially.

### 6.2 How to raise a concern

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If a member of staff has a concern, they should not try to investigate it themselves; they are not responsible for proving the veracity of their concern, although they will need to demonstrate that they have reasonable grounds for raising it.

In the first instance, a concern should be raised with the line manager. If the member of staff reasonably believes their line manager to be involved in the wrong-doing or for any other reasonable reason do not wish to approach their line manager, they should approach the headteacher or (if their line manager is the headteacher) the chair of governors. Staff may raise concerns verbally or in writing, and the earlier a concern is raised, the easier it is to take appropriate action.

Staff may find it helpful to seek advice or support from an organisation such as [Protect](#). If it is a safeguarding concern it may be helpful to talk to NSPCC's safeguarding whistleblowing helpline on 080 8800 5000 (daytime only) or write to [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

### 6.3 How we will respond

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Within 10 working days of when the concern was raised, the responsible person with whom the concern was raised will write to the member of staff who raised the concern to:

- acknowledge that the concern has been received;
- indicate how it is proposed that the matter will be dealt with;
- give an estimate of anticipated timescales;
- let the member of staff know about any initial actions or enquiries thus far;
- explain if further investigations will take place and that they might be called as a witness;
- reassure them of the school's support and of the safeguards in place to protect them;
- give information on staff support mechanisms.

It may be possible to resolve some of the concerns without the need for investigation.

Concerns and allegations which fall within the scope of specific procedures (e.g. child protection or discrimination issues) will normally be referred for consideration under those procedures.

If an investigation is required, it may be investigated (as appropriate) by:

- the Senior Leadership Team, internal audit or through the disciplinary process;
- police referral;
- referral to the external auditor;
- independent inquiry

If urgent action is required, this will be taken before any investigation is conducted.

#### **6.4 Determining the outcome**

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The outcome of any investigation will be unique to each case and subject to determination by the requirements of any specific procedure followed. Outcomes may include (but are not limited to) a review of policy and practice or formal disciplinary action.

If an allegation is made in good faith but is not confirmed by the investigation, no action will be taken against the person making the allegation. If it is found that the allegation was unfounded and/or raised with malicious or mischievous intent, then formal action will be taken under our disciplinary procedure.

#### **6.5 Notifying the individual who raises the concern**

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Once the outcome has been determined, the responsible person will write to the individual who raised the concern to let them know that the matter has been resolved, and how, subject to limitations such as confidentiality. The person who raised the concern will also be advised of any further action which they could take if they are not satisfied with the outcome.

#### **6.6 How the matter can be taken further**

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If the outcome is not considered satisfactory, the matter may be raised with an appropriate statutory or regulatory body, such as:

- the [Ombudsman](#);
- the Trade Union or professional membership association;
- depending on the nature of the original concern, the MP, the police, the [Equality Advisory & Support Service](#) or the [Information Commissioner's Office](#).

#### **6.7 Responsibility and record-keeping**

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The chair of governors has overall responsibility for the maintenance and operation of this policy. The officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger the person who raised the concern's confidentiality), and will report as necessary to the local authority or DfE.

#### **6.8 Confidentiality**

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All concerns will be treated in confidence, and every effort will be made not to reveal the identity of the person who raised the concern if they wish, unless required by law, but people should be aware that they may need to come forward as a witness.

Concerns expressed anonymously will be considered but action taken to look at the disclosure may be limited and may not be regarded as "protected" under the Public Interest Disclosure Act 1998, and those raising concerns anonymously will not be able to receive feedback.

All reasonable steps will be taken to ensure that no staff member will be victimised or will suffer any detriment for raising a matter under this procedure. This means that continued employment and opportunities for future promotion or training will not be prejudiced because a member of staff has raised a legitimate concern.

In exceptional circumstances, and in order to protect someone who has raised a qualifying disclosure, or to facilitate thorough investigation, a whistleblower may be redeployed. This may be on a permanent or a temporary basis and will always be subject to mutual agreement with clear terms, under which there is no detriment to the member of staff who raised the concern.

Harassment or victimisation of an individual for raising a qualifying disclosure is a disciplinary offence. Colleagues who victimise whistleblowers can be held personally liable for such conduct.

Any instruction to cover up wrongdoing is itself a disciplinary offence. If told not to pursue a concern, even by a person in authority, the member of staff should not agree to remain silent and should contact the headteacher or chair of governors.

## **Appendix 2: Legislation and Statutory Guidance**

[Teachers' Standards](#)

[Local authority's code of conduct for schools](#)

[ACAS Code of Practice on disciplinary and grievance procedures](#)

[ACAS guide on discipline and grievances at work](#)

[Bribery Act 2010](#)

[Trade Union Reform and Employment Rights Act 1993](#)

[DfE's statutory guidance on whistleblowing procedures \(2014\)](#)

[Ofqual's whistleblowing policy](#)

[Whistleblowing guidance for employers and code of practice](#)

[Whistleblowing – the Public Interest Disclosure Act 1998](#)

[DfE complaints procedure](#)