

## Whistleblowing Policy for Rhiwbeina Primary School Staff

Whistleblowing has been defined as:

**'the disclosure by an employee or professional of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the work place, be it of the employee or his/her fellow employees.'**

Statutory protection for employees who whistleblow is provided by **Public Interest Disclosure Act 1998 ("PIDA")**. The PIDA protects employees against victimisation if they make a protected disclosure within the means of the PIDA and speak out about concerns, conduct or practice within the school which is potentially illegal, corrupt, improper, unsafe or unethical which amounts to malpractice.

This policy applies to all school staff including full and part time, temporary or supply staff and to individuals undertaking work experience in the school.

### Aims and Scope of Policy

The governing body is committed to high standards in all aspects of the school and will treat whistleblowing as a serious matter. In line with the governing body's commitment to openness, probity and accountability, members of staff are encouraged to report concerns which will be taken seriously, investigated and appropriate action taken in response.

This policy aims to:

- Give confidence to members of staff about raising concerns, about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice or is inconsistent with school standards and policies so that he/she is encouraged to act on those concerns.
- Provide members of staff with avenues to raise concerns.
- Ensure that members of staff receive a response to the concerns they have raised and feedback on any action taken.
- Offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken in good faith and within the meaning of the PIDA.

This policy covers whistleblowing relating to alleged:

- Unlawful conduct.
- Miscarriages of justice in the conduct of statutory or other processes
- Failure to comply with a statutory or legal obligation.
- Potential maladministration, misconduct or malpractice.
- Health and safety issues including risks to the public as well as risks to pupils and members of staff.
- Action that has caused or is likely to cause danger to the environment.
- Abuse of authority.
- Unauthorised use of public or other funds.
- Fraud or corruption
- Breaches of financial regulations or policies.
- Mistreatment of any person.
- Action that has causes or is likely to cause physical danger to any person or risks serious damage to school property.
- Sexual, physical or emotional abuse of members of staff or pupils.
- Unfair discrimination or favouritism.
- Racist incidents or acts, of racial harassment and

- Any attempt to prevent disclosure of any of the issues listed.

### **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 and the whistleblower is likely to be called in to give evidence in court.

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

### **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 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.

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

If a member of staff makes an allegation in good faith 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.

### **Allegations Concerning Child Protection Issues**

If a member of staff raises a concern related to a child protection issue, the Headteacher or chair of governors should urgently consult the LA Officer designated to lead on child protection (or if they are not available the designated manager for child protection in the authority's social services department) so that the action for the handling of such allegations under the school's disciplinary procedure for staff and the child protection procedures established by the Local Safeguarding Childrens Boards can be initiated.

However in relation to child protection issues, it is open to the member of staff to make a direct referral to the social services designated manager either before raising their concern and the member of staff remains concerned about the situation.

### **Procedure for Making a Whistleblowing Allegation**

You should raise your concern with your line manager, the Headteacher, the chair of governors or the governor nominated for whistleblowing. The person to be approached depends to an extent on the seriousness and sensitivity of the issue and who is thought to be involved.

If you feel you cannot express your concerns within the school, it is open to you to raise your concern with someone outside the school setting from the list of organisations in the section of this policy 'Taking the Matter Further', with key organisations to contact suggested as the LA, Public Concern at Work and the trade unions. However, where the concern relates to a child protection matter, if you do not want to raise this through the school, you must consult the LA Officer designated to lead on child protection or if that person is not available, the local authority's designated social services manager for child protection. If the concern needs to have Police or other statutory authority involvement, 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 possible put your concern in writing for the avoidance of doubt. You should set out the background and history of the concern; giving names, dates and places where possible, and explaining the reason for your concerns. If you feel unable to put the matter in writing you can still raise your concern verbally with the Headteacher. You can also ask your trade union for advice and guidance.

- If appropriate, for concerns of child protection, refer the matter to the LA Officer designated to lead on child protection / local authority social services designated manager for child protection. 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 to 15 working days** from the date of the initial written response. If the enquiry extends beyond the timescales outline for specific reasons all individuals concerned will be notified of this in writing with an indication when the inquiry will be completed.

### **The Inquiry Report**

Following completion of the inquiry process the appointed person 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 to 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.

### **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 as listed below:

- The local authority

- A relevant professional body or regulatory organisation such as the Education Workforce Council for Wales.
- The Children’s Commissioner for Wales
- The Public Services Ombudsmen for Wales
- The Care and Social Services Inspectorate for Wales
- A solicitor
- The Police – for concerns of criminal behaviour
- A trade union or professional association
- Public Concern at Work (an independent charity that provides free advice for persons who wish to express concern about fraud and other serious malpractice. Telephone 0207 404 6609 or [www.pcaw.co.uk](http://www.pcaw.co.uk))

Headteacher..... CA. Hawry

Date..... 24.10.25

Chair of Governors..... S. Bell

Date..... 21/10/25

## Appendix

### **Guidance Notes 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 all 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 senior management, the Headteacher, Chair of Governors.
- Deal with the matter promptly.
- Keep a copy of your school's whistleblowing policy if this has not been routinely been made available to all staff.

#### **DO NOT**

- Do nothing.
- Be afraid of raising concerns. You must not suffer any recriminations 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 the matter raised is not being treated sensitively and seriously then seek professional or alternative advice).
- Approach or accuse any individuals directly.  
Try to investigate the matter yourself. There are rules surrounding the gathering of evidence for use in criminal cases and in relation to child protection cases. Any attempt to gather evidence by people who are unfamiliar with these rules may destroy the case.
- Convey your suspicions to anyone other than those with the proper authority although other organisations such as 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 information which could lead to your identity being disclosed.

Remember the Public Interest Disclosure Act 1998 protects you from victimisation by dismissal, redundancy or any detrimental action provided you:

- Have disclosed the information in good faith.
- Believe it to be substantially true.
- Have not acted maliciously or made a false allegation.
- Are not seeking any personal gain.
- It was reasonable for the disclosure to have been made.

