



Whistleblowing Policy

Updating Policy Procedure

When a policy is due for review it will be emailed to the reviewer who will revise and highlight those updates and return the policy in full with the highlighted updates back to the Administrator.

When a policy reviewer becomes aware of **any updates** they will ask the Administrator to email the policy to them and follow the above procedure.

A policy is a statement of intent and the guidelines we follow, that is adopted by the Fortuna and Athena Federation's Governing Body.

Policy Reviewed by:

Hannah Keegan – Joint Policy

Updated on:

November 2024

Date to be reviewed:

October 2026

Date ratified at FGM:

9/12/2024



Introduction

The Governors and Head teachers of the federation are committed to delivering a high quality education service to its pupils and expect high standards from their staff and contractors. In order to maintain those high standards a culture of openness and accountability is vitally important. The aims of this policy are threefold: -

- to encourage staff to raise concerns about malpractice within The Fortuna & Athena Federation without fear of reprisal
- to reassure staff that concerns will be taken seriously
- to provide information about how to raise concerns and explain how the Governors and Children Services will respond

Scope of the Policy

This policy applies to all School employees and former employees, governors, agency staff and contractors including PFI contractors engaged by the School. There is a separate procedure for pupils and parents to raise concerns about school related issues. See complaints policy.

What is Whistleblowing?

In practical terms, whistleblowing occurs when a concern is raised about danger or illegality that affects others. As the person blowing the whistle you will not necessarily be directly affected by the danger or illegality. Consequently you will not necessarily have a personal interest in the outcome of any investigation into your concerns. This is different from a complaint or grievance. If you make a complaint or lodge a grievance, you are saying that you personally have been poorly treated. This poor treatment could involve a breach of your individual employment rights or bullying and you are entitled to seek redress for yourself. See Appendix 1

Blowing the Whistle on Malpractice

Malpractice covers a wide range of concerns. The types of activity that should be disclosed include but are not limited to the following: -

- the physical, emotional or sexual abuse of pupils or staff
- financial maladministration
- unauthorised use of school funds
- fraud and corruption
- failure to comply with legal obligations
- endangering of an individual's health and safety
- damage to the environment
- a criminal offence
- failure to follow financial and contract procedure rules
- showing undue favour to a contractor or a job applicant
- miscarriages of justice
- deliberate concealment of information relating to any of the above

Staff should raise their concerns with the Headteacher, or Senior Leadership Team SMT or their line manager or the Local Education Authority LEA as soon as any suspected malpractice becomes apparent. Remember that the earlier you raise concerns the easier it will be to take action. You (the whistleblower) are a witness to events, not a complainant and so you do not need to wait for proof of malpractice before raising concerns.

When reporting a concern you should provide as much information and detail as possible. In particular you should provide the full names of the people involved or who know about what is



happening, dates of events and any relevant documentation. This will help the investigator to focus on the main issues quickly.

There will be some cases where it is not appropriate for you to raise concerns with your Head teacher/Line Manager, for example where you suspect your Headteacher/Line Manager already knows about the malpractice and appears to be 'turning a blind eye', or where you suspect your Headteacher/Line Manager may be involved. In those cases, you should report your concerns to the Chair of the Governing body.

Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. You will be advised whether an investigation takes place or not. When making a decision the Head teacher/Governor will consider whether continuing with an investigation is in the public interest.

Advice and Support

The School recognises that staff may wish to seek advice and support from their professional association or trade union before blowing the whistle and you are strongly advised to do so. They may also accompany you at any meetings. Further support and advice around whistleblowing can be found at <https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/>. See appendix 1.

Confidentiality

The Fortuna & Athena Federation understands that you may be reluctant to come forward with information about the wrongdoing of a colleague or manager or indeed at all. As such, The Fortuna & Athena Federation recognises that whistleblowers may wish to raise concerns in confidence. If you (the whistleblower) make a request for the matter to be kept confidential then your identity will not be revealed without discussing the matter with you first.

Anonymous Allegations

You are encouraged to give your name when raising concerns. A concern expressed anonymously is much less powerful and is often more difficult to investigate. The decision whether to investigate an anonymous allegation will be made by the Head teacher and/ or the Chair of Governors and/or the LEA. When making this decision they will take into account the seriousness of the issues raised, the credibility of what is being said and the likelihood of confirming the allegation from other sources.

Protection for the Whistleblower

All concerns raised under this procedure will be treated seriously and a decision made about whether or not an investigation is appropriate. Depending upon the nature of the matter it may be referred to the external auditor or the police. The person to whom you reported your concern will be responsible for keeping you informed about the progress of the investigation and the action, which has been taken, although you may not be told the outcome. In some cases the investigation may result in criminal or disciplinary proceedings. If this happens you may be invited to give a written statement or give evidence at a hearing. The Headteacher and Governors will support you in this process and ensure that you are clear about what will happen.

The Head teacher, Governors and the LEA will not tolerate harassment or victimisation and will take action to protect you if you have raised a concern in good faith. Any employee who is found to have victimised or harassed an employee who has raised a concern will face disciplinary action.

Allegations not made in Good Faith

Concerns that are raised frivolously, maliciously, for personal gain or where they are known to be untrue may result in disciplinary action or, in the case of agency staff, the termination of the agency contract. In the case of contractors, the matter will be reported to the Council's relevant Contract Manager so that a decision can be made about the appropriate action to take.

Blowing the Whistle Outside the School

In certain circumstances it may be appropriate to raise concerns outside the School to the appropriate 'prescribed regulator'. This should only be done where you are raising a genuine concern in good faith and where you believe the information is true, i.e. more than just suspicion. You are advised to discuss your concerns with a legal advisor, professional association, and trade union before reporting them outside the School or LEA.

Examples of prescribed regulators are set out below:

- Department for Education (DfE)
- General Teaching Council
- The Audit Commission
- The Standards Board for England
- Information Commissioner
- Environment Agency
- Health and Safety Executive
- Commissioner of the Inland Revenue
- National Care Standards Commission
- Government Ombudsman
- Health & Care Professionals Council

As a last resort you may choose to raise your concern outside the School to someone other than a prescribed regulator, e.g. to the Police or your MP. You should only do this if, in addition to the conditions above, they meet one of three preconditions.

Provided the disclosure is reasonable in all the circumstances and is not made for personal gain, the preconditions are that you:

- reasonably believed that you would be victimised if you raised the matter internally within the School; or
- reasonably believed that the matter would be 'covered up' and there is no prescribed regulator; or
- you have already raised the matter internally or with a prescribed regulator

Complaints, Grievances and Members

This policy should not be confused with other policies that exist for dealing with complaints or grievances. Employees who are aggrieved about their own employment situation should consider whether to use the grievance procedure after having discussed the matter with their immediate manager and/or their trade union representative.



Appendix 1

The Whistleblowing Advice Line offers free advice and support to professionals with concerns about how child protection issues are being handled in their own or another organisation.

If you think an organisation is putting children at risk, even if you're not certain, call us today to talk through your concerns.

A chat with your partner or a mate about your concerns won't change anything but a chat with us can change a child's life.

The NSPCC Whistleblowing Advice Line



**I'm worried malpractice
at work is affecting children.**

Contact the Whistleblowing Advice Line

Call [0800 028 0285](tel:0800 028 0285)

Email help@nspcc.org.uk

What is whistleblowing?

Whistleblowing is when someone raises a concern about a dangerous or illegal activity or any wrongdoing within their organisation.

Raising a concern is known as "blowing the whistle" and is a vital process for identifying risks to people's safety.



Sharing information or talking through a concern can be the first step to helping an organisation identify problems and improve their practices.

When to call

If you have any concerns about a child in your workplace you should raise this with your employer or organisational safeguarding lead in the first instance.

You should call the Whistleblowing Advice Line if:

- your organisation doesn't have clear safeguarding procedures to follow
- you think your concern won't be dealt with properly or may be covered-up
- you've raised a concern but it hasn't been acted upon
- you're worried about being treated unfairly.

You can call about an incident that happened in the past, is happening now or you believe may happen in the future.

What to expect when you call

One of our call handlers will connect you with a trained practitioner.

They will discuss your concerns with you and:

- talk you through the whistleblowing process
- take details of your concern
- explain the protection available to you if you need it
- get relevant agencies and authorities to take action on your concern.

You don't have to tell us who you are if you don't want to - you can remain anonymous. If you do give us your name and contact details you can ask us not to share these with other agencies.

If you think a child is in immediate danger

Don't delay – call the police on 999,
or call us on [0808 800 5000](tel:08088005000), straight away

What the law says about whistleblowing

If you disclose information about wrongdoing the law protects you from being treated unfairly or losing your job.



A disclosure qualifies for protection if you are a worker and you disclose something about an organisation.

A disclosure must be about something that affects the general public such as:

- a criminal offence has been committed, is being committed or is likely to be committed
- an legal obligation has been breached
- there has been a miscarriage of justice
- the health or safety of any individual has been endangered
- the environment has been damaged
- information about any of the above has been concealed.

This is set out in the [Public Interest Disclosure Act 1998](#). The Act applies to England, Scotland and Wales. For more information about child protection across the UK see our pages on reporting concerns in [England](#), [Northern Ireland](#), [Scotland](#) and [Wales](#)

The NSPCC has been a prescribed whistleblowing body for child welfare and protection since 2014 ([Department for Business, Innovation and Skills, 2016](#)). This means any worker who has child protection or welfare concerns can make a disclosure to us and we can seek to protect them against unfair treatment at work.

You can find out more about whistleblowing on the [GOV.uk website](#).

About the Whistleblowing Advice Line

In addition to our [general helpline](#) for anyone who is worried about a child and would like support and advice, we run several [dedicated helplines](#).

The Whistleblowing Advice Line was commissioned by the [Home Office](#). It is a direct response to the recommendation for "a new whistleblowing national portal for child abuse related reports" set out in the Government's tackling child sexual exploitation report ([HM Government, 2015](#)).

The Whistleblowing Advice Line isn't intended to replace any current practices or responsibilities of organisations working with children. We encourage professionals to raise any concerns about a child to their own employer in the first instance.