



Whistleblowing Policy and Procedure - Pt 3, 7

**Excellence as a habit not an action.
Excellence in who we are; Excellence in what we do;
Excellence in our service of others.**

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Introduction

The Marist School is committed to high quality education. Concerns about poor practice within The Marist School, or suggestions for areas where practice might usefully be strengthened and developed, may be raised without fear of detriment with the Principal or any member of the Executive Team or via The Marist School Whistleblowing Policy. It is the duty of all members of The Marist School community to raise such concerns so that they can be fully aired and in order that through appropriate challenge and analysis, improvements can be made.

This policy sets out the procedures that employees should follow if you are concerned about procedures, integrity of internal processes at The Marist School or any similar matter. You should be assured that in The Marist School concerns will not result in reprisals in any form.

Victimisation of those raising concerns will not be tolerated and we will take appropriate action to protect any person who raises a concern in the appropriate manner using this policy. This will still be the case, even where a concern that is sincerely felt and expressed is subsequently unsubstantiated or proved to be unfounded.

Attempts will be made, wherever possible, to protect the identity of any individual who raises a concern and does not want his or her name to be disclosed. However, any investigation process may in itself reveal the source of the information and a statement may be necessary as part of the evidence.

Marist School employees are aware of the existing policies and procedures for employees and the independent safeguards which are already in place. These include:

- The Complaints Policy and Procedure (the document can be found on our web site or provided by the relevant school office)
- The Marist School Child Protection and Safeguarding Policy. (the document can be found on our web site or provided by the relevant school office)

The School is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards in accordance with their contractual obligations and the school's policies and procedures from time to time in force.

However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- To provide staff with guidance as to how to raise those concerns.
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Protect (formerly Public Concern at Work).

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the school and the school reserves the right to amend its content at any time. This Policy reflects the school's current practices and applies to all individuals working at all levels of the organisation, including *the Principal, The Executive Team, Heads of Department, Key Stage Leads*, employees, consultants, contractors, trainees, part-time and fixed-term workers, casual and agency staff (collectively referred to as "staff" in this policy) who are advised to familiarise themselves with its content.

What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity;
- child protection and/or safeguarding concerns;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal or professional obligation or regulatory requirements;
- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures including our Code of Conduct;
- conduct likely to damage the School's reputation;
- unauthorised disclosure of confidential information;
- the deliberate concealment of any of the above matters.

A whistle-blower is a person who raises a genuine concern that he/she believes is in the public interest relating to any of the above. If the member of staff has any genuine concerns related to suspected wrongdoing or danger affecting any of the school's activities (a whistleblowing concern) they should report it under this policy.

This policy should not be used for complaints relating to staff's own personal circumstances, such as the way they have been treated at work. In those cases, they should use the Grievance Policy and Procedure or Anti-harassment and Bullying Policy as appropriate.

If staff are uncertain whether something is within the scope of this policy, they should seek advice from HR or the Principal.

Low Level Concerns

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour of a staff member towards a child is of concern although it may not meet the threshold set out in paragraph 338 of Keeping Children Safe in Education in Education 2023 (KCSIE 2023).

A low-level concern is any concern - no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- a) is inconsistent with the staff Code of Conduct, including inappropriate conduct outside of work and,
- b) does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

The process for managing low level concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors can be found at **Appendix 1**.

Raising a whistleblowing concern

The school hopes that in many cases staff will be able to raise any concerns with their Line Manager and/or Head of Department speaking to them in person or putting the matter in writing if they prefer. They may be able to agree a way of resolving the concern quickly and effectively.

However, where the matter is more serious, or the Line Manager/Head of Department has not addressed the concern, or the member of staff would prefer not to raise it with them for any reason, then they should contact either the Principal or Chair of the Governing Body.

The school will arrange a meeting with the member of staff as soon as possible to discuss their concern. Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

The school will take down a written summary of the concern raised and provide the member of the staff with a copy as soon as practicable after the meeting. The school will also aim to give the member of staff an indication of how we propose to deal with the matter.

Confidentiality

The school hope that staff will feel able to voice whistle blowing concerns openly under this policy. However, if a member of staff wants to raise his or her concern confidentially, the school will endeavour to keep his or her identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of staff's concern to know their identity, the school will discuss this with the member of staff first.

The school does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the school cannot obtain further information. It is also more difficult to establish whether any allegations are credible. Whistle-blowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality.

If a member of staff is in any doubt, they can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Protect

(Independent whistleblowing charity)

Helpline: **0203 117 2520**

Website: <https://protect-advice.org.uk/>

Investigation and outcome

Once a member of staff has raised a concern, the School will carry out an initial assessment to determine the scope of any investigation. The School will inform the member of staff of the outcome of its assessment. The member of staff raising the concern may be required to attend additional meetings in order to provide further information.

In some cases, the school may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the school to minimise the risk of future wrongdoing.

The school will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the school from giving specific details of the investigation or any disciplinary action taken as a

result. The member of staff is required to treat any information about the investigation as strictly confidential.

If the school concludes that a whistle-blower has made false allegations maliciously or with a view to personal gain, the whistle-blower will be subject to disciplinary action under the School's Disciplinary Policy and Procedure.

If you are not satisfied

Whilst the school cannot always guarantee the outcome a particular member of staff is seeking, the school will try to deal with the concern fairly and in an appropriate way. If a member of staff is not happy with the way in which his or her concern has been handled, he or she can raise it with one of the other key contacts outlined above.

External disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases staff should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for staff to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage a member of staff to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Whistleblowing concerns usually relate to the conduct of school staff, but they may sometimes relate to the actions of a third party, such as a service provider. In some circumstances the law will protect you if you raise the matter with the third party. However, staff are encouraged to report such concerns internally first. Staff should contact one of the other individuals set out above for guidance.

Protection and support for whistle-blowers

It is understandable that whistle-blowers are sometimes worried about possible repercussions. The school aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

Staff must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that he or she has suffered any such treatment, he or she should inform the Principal immediately. If the matter is not

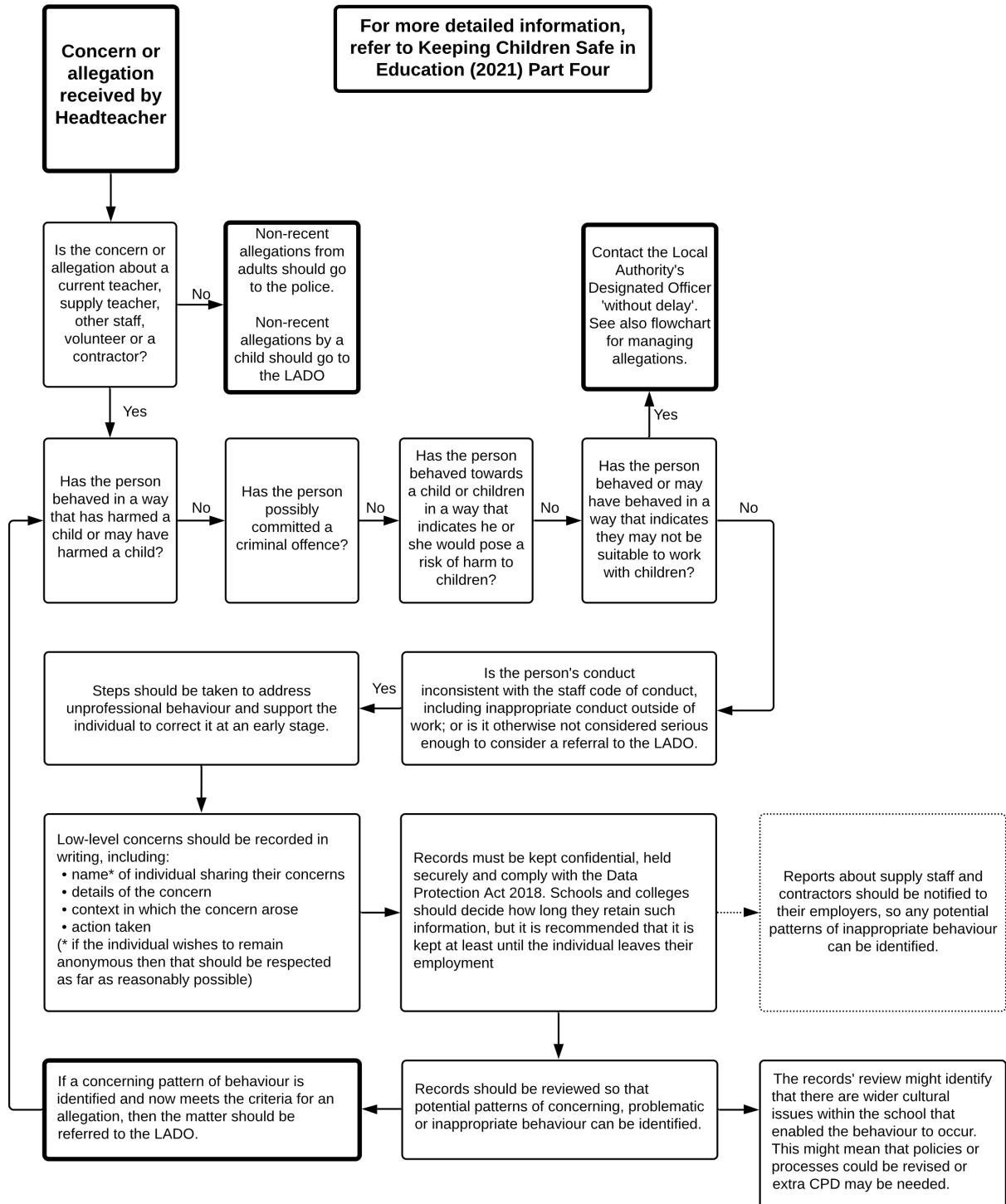
remedied the member of staff should raise it formally using the School's Grievance Policy and Procedure.

Staff must not threaten or retaliate against whistle-blowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions, and queries should be addressed to the HR Manager in the first instance.

Appendix 1 follows:-

Managing low level concerns raised in relation to teachers, including supply teachers, other staff, volunteers and contractors



What is a low level concern?

The term low-level concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out at KCSIE (2021) paragraph 338. A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a nagging doubt' - that an adult working in or on behalf of the school or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work; and
- does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the LADO.

Signed:

Mr M Stephen

Jo T. Smith

Dr M Stephen
Chair of Governors

Mrs Jo Smith
Principal