



POLISI CHWYTHU'R CHWIBAN WHISTLEBLOWING POLICY

PARATOWYD PREPARED	Tachwedd 2014 / <i>November 2014</i>
CADARNHAWYD RATIFIED	Tachwedd 2014 / <i>November 2014</i>
ADOLYGWYD REVIEWED	Tachwedd 2021 / <i>November 2021</i>
CYLCH ADOLYGU REVIEW CYCLE	Blynnyddol / <i>Annually</i>

Ysgol Gymraeg Llundain

Whistleblowing Policy

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Introduction

The Board of Directors and Lead Teacher are committed to delivering a high quality education service, safeguarding our pupils and expect high standards from our staff. In order to maintain those high standards we ensure a culture of openness and accountability.

The aims of this policy are threefold: -

- to encourage staff to raise concerns about malpractice within the School 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 Board of Directors will respond

Safeguarding Guidance: Working Together to Safeguard Children (2018) states that *'organizations should have...clear whistleblowing procedures.... which suitably referenced in staff training and codes*

of conduct, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed'.

Also refer to [Keeping Children Safe in Education](#) 2021

Scope of the Policy

This policy applies to all School employees and former employees and contractors engaged by the School. There is a separate procedure for pupils and parents to raise concerns about school related issues.

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.

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
- a criminal offence eg unauthorised use of school funds, fraud and corruption
- failure to comply with legal obligations
- endangering of an individual's health and safety
- criminal /inappropriate behaviour online
- failure to follow financial and contract procedure rules
- showing undue favour to a contractor or a job applicant
- miscarriages of justice
- breaking GDPR regulations
- deliberate concealment of a wrongdoing of information relating to any of the above

Staff should raise their concerns with the Lead Teacher or Chairman of the Board of Directors 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, including the names of contractors, 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 Lead Teacher, for example where you suspect your Lead Teacher already knows about the malpractice and appears to be 'turning a blind eye', or where you suspect your Lead Teacher may be involved. In those cases, you should report your concerns to the Board of Directors.

Initial inquiries 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 Lead Teacher will consider whether continuing with an investigation is in the public interest.

- **Advice and Support**

The School recognizes 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.

- **Confidentiality**

The School 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 School 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. If the complaint concerns a Child Protection matter or is of a potentially criminal nature, refer to YG Llundain Safeguarding Policy under allegations against staff. The school will report the concern within one day to the Local Authority Designated Officer (LADO) and follow guidelines and advice from appropriate authorities and/or police regarding confidentiality as appropriate on a case by case situation.

If you are in any doubt you can seek advice from **Public Concern at Work**, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Helpline: 020 7404 6609

e-mail: whistle@pcaw.co.uk

Website: www.pcaw.co.uk

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 Lead Teacher and/ or the Chair of the Board of Directors. 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 our Accountants or our lawyer 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 Lead Teacher and Board of Directors will support you in this process and ensure that you are clear about what will happen.

The Lead Teacher and Board of Directors 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.

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 or trade union before reporting them outside the School.

Examples of prescribed regulators are set out below

- Department for Education and Skills (DfES)
- General Teaching Council
- The Audit Commission
- The Standards Board for England
- Information Commissioner
- Environment Agency
- Health and Safety Executive
- Commissioner of the Inland Revenue
- General Social Care Council
- The Commission for Social Care Inspection
- National Care Standards Commission

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 and Grievances

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.

Reviews and Monitoring of this Policy

The Board of Directors has overall responsibility for the monitoring of this policy.

ARWYDDWYD GAN:		
SIGNED BY:		
G Roberts	Cadeirydd Bwrdd y Cyfarwyddwyr <i>Chair of the Board of Directors</i>	Tachwedd 2021 <i>November 2021</i>
T Sugg	Athro Arweiniol <i>Lead Teacher</i>	Tachwedd 2021 <i>November 2021</i>

Appendix 1

Don't think what if I'm wrong – think what if I'm right

Reasons for whistle blowing:

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour.
- To prevent the problem worsening or widening.
- To protect or reduce risks to others.
- To prevent becoming implicated yourself.

What stops people from whistle blowing:

- Starting a chain of events which spirals.
- Disrupting the work or project.
- Fear of getting it wrong.
- Fear of repercussions or damaging careers.
- Fear of not being believed.

How to raise a concern:

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken.
- Try to pinpoint exactly what practice is concerning you and why.
- Approach your immediate manager, Head Teacher, or the Designated Child Safeguarding Officer.
- If your concern is about your immediate manager/Head Teacher, or you feel you need to take it to someone outside the school contact The Local Authority
- Make sure you get a satisfactory response – don't let matters rest.
- You should then put your concerns in writing, outlining the background and history, giving names, dates and places where you can.
- A member of staff is not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

What happens next? You should be given information on the nature and progress of any enquiries. Your employer has a responsibility to protect you from harassment or victimisation.

No action will be taken against you if the concern proves to be unfounded and was raised in good faith.

Allegations made frivolously, maliciously or for personal gain will be seen in a different light and disciplinary action may be taken.

Self reporting There may be occasions where a member of staff has a personal difficulty, or perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most situations, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

Further advice and support It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your professional trade union.