



Working, Praying, Sharing and Learning Together"
"Gweithio, Gweddio, Rhannu a Dysgu gyda'n gilydd"

St Mary's R.C. Primary School



Whistleblowing Policy for School Based Staff

May 2023

Date	Review Date	Leads	Nominated Governor
May 2023	May 2024	Mr. Martin Buckley	Mrs. Karen Lewis

United Nations Convention on the Rights of the Child.

Article 24 - All children have the right to the best possible health.

Article 27 - All children have the right to a standard of living that is good enough to meet their physical and social needs and support their development.

INTRODUCTION

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’

(Public Concern at Work Guidelines).

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

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

AIMS AND SCOPE OF THE 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 s/he 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 caused or is likely to cause physical danger to any person or risk serious damage to school property
- sexual, physical or emotional abuse of members of staff or pupils

- unfair discrimination or favouritism
- racist incidents or acts, or racial harassment and
- any attempt to prevent disclosure of any of the issues listed.

The PIDA sets out the full statutory rights and obligations of members of staff wishing to whistleblow. Where members of staff are unclear about any of the PIDA requirements they should seek further advice. Public Concern at Work is an independent charity that provides free advice for persons who wish to express concerns about fraud or other serious malpractice (telephone 0207 404 6609 or www.pcaw.co.uk). Members of staff could also approach their trade union for further advice.

SAFEGUARD AGAINST REPRISAL, HARASSMENT AND VICTIMISATION

The governing body will not tolerate harassment or victimisation of members of staff when matters are raised in accordance with the PIDA provisions. Any member of staff who victimises or harasses a member of staff as a result of their having raised a concern in accordance with the whistleblowing policy will be dealt with under the governing body's staff disciplinary procedures.

The PIDA provides protection to employees in circumstances where their disclosure can be classed as a protected disclosure. Under the PIDA it would be automatically unfair to dismiss or make any employee/member of staff redundant because they had made a protected disclosure; and that it would be unlawful to subject them to any other detriment, such as demotion or a fine.

In the event of such action an Employment Tribunal has the power to order re-instatement, reengagement or order the award of compensation to successful claimants.

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 name and will give due consideration to proceeding with investigating the concern on the basis of an 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 raised 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 Child Protection representative from the local authority 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 with the governing body or where the headteacher or chair of governors fails to do so after 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/deputy 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 local authority, 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 local authority 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 and should telephone or arrange to meet the appropriate person. You can also ask your trade union or professional association to raise the matter on your behalf or to support you in raising the concern.

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RESPONSE TO WHISTLEBLOWING

The matter raised may:

- need inquiry internally in the school
- need to be passed to the Police if it relates to alleged criminal activity
- need to be passed to the person in the local authority who deals with complaints about financial management or financial propriety in schools

- need to be referred to the local authority officer designated to lead on child protection if there is a concern relating to child protection, or if that person is not available the local authority's designated social services manager for child protection.

At this stage concerns/allegations are neither accepted nor rejected.

TIMESCALE FOR RESPONSE

The headteacher/deputy headteacher appointed by the governing body to look into whistleblowing allegations will normally provide a written response to you within 5 working days (except in the case of anonymous allegations):

- acknowledging that the concern has been received
- indicating how it is proposed to deal with the matter
- giving an estimate of how long it will take to provide a final response
- advising whether any enquiries have been made
- advising whether further enquiries will take place
- informing you of support available whilst matters are looked into, and
- maintaining confidentiality wherever possible, but also explaining that it may not be possible that you can remain anonymous.

THE INQUIRY PROCESS

The appointed person, who is the headteacher/deputy headteacher will:

- Look into the allegation - seeking evidence and interviewing witnesses as necessary.
- Maintain confidentiality wherever possible but will be mindful that there is no guarantee that the whistleblower can remain anonymous.
- If appropriate, bring the matter to the attention of the local authority appointed person dealing with complaints about financial management of schools.
- If appropriate, for concerns of criminal behaviour refer the matter to the Police.
- If appropriate, for concerns of child protection, refer the matter to the local authority 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 10-15 working days from the date of the initial written response. If the enquiry extends beyond the timescales outlined 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 headteacher/deputy headteacher 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 local authority 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 - 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 diocesan authority (for Church schools)
- a relevant professional body or regulatory organisation such as the General Teaching Council for Wales (GTCW) or the Wales Audit Office
- the Children's Commissioner for Wales
- the Public Services Ombudsman 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).

Introduction

At St. Mary's we aim to develop the whole child to the best of his/her ability in the context of a Catholic ethos and in partnership with the parent and parish community. We aim to ensure that everyone has the same chances and opportunities irrespective of race, religion, sex, class or disability. We place great emphasis on forming each child to become a valuable member of the school community. Discipline and moral values are based on the Christian message. Children are taught to care for each other and mutual respect is paramount. The school works hard within the community and is developing a high profile. There are excellent links with a range of outside agencies, embracing the expertise to support and challenge. The school actively promotes and encourages the professional development of all staff and works hard in the community to maintain a high profile. St. Mary's R.C. Primary School is situated in the small town of Brynmawr, with access to the Heads of the Valleys road. The school caters for children from the ages of 3 to 11. Children come primarily from the parishes of the St. Mary's RC Church, Brynmawr. Mrs. Karen Lewis is the Chair of Governors and the Parish Priest is Fr. Liam Hennessy. St. Mary's serves a mixed area with pupils travelling from Blaenau Gwent and Monmouthshire. Many of the children are living in 20% of the most deprived areas of Wales. There are 31% FSM. The ability range is mixed. Many children entering school have very poor basic skills. In September 2023 there were 8% of pupils with ALN. There are no statemented children. There are a sizable number of EAL children - 19%. Attendance is currently 90.4%. The building is a fairly modern in construction and we constantly strive to improve all areas and particularly outdoor areas for Early Years. Many visitors to the school comment on the warm welcome they receive and the politeness of our pupils. Our school mission of 'Working, Praying, Sharing and Learning Together', is always evident and is central to the development of each pupil and to affirming the importance of every pupil's dignity and worth. Education is a partnership between home, school and parish so we positively encourage and promote the participation of parents in the learning process and in the life of our school to promote the best outcomes for pupils. Parents are welcome partners in the education of their child and in the development of our school family. The Equality Act 2010 gives us the framework for this plan. The Human Rights Act 1998, the Welsh Language Act 1993 and the Welsh Language (Wales) Measure 2011 are also relevant to this policy.

Under the Equality Act 2010 the school will work towards:

1. **eliminating** unlawful discrimination, harassment and victimisation and other conduct that is prohibited by the Equality Act 2010;
2. **advancing** equality of opportunity between people who share a relevant protected characteristic and those who do not;
3. **fostering** good relations between people who share a protected characteristic and those who do not;

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The act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

Who is protected?

This plan protects the following people:

- pupils,
- school governors,
- staff employed on a full time or part-time basis,
- all permanent or temporary contracts,
- agency staff
- casual workers
- contractors.

Aims

- The aim of this policy is to ensure that in carrying out its activities the school will have due regard to elimination of unlawful discrimination, harassment and victimisation.
- The advancement of equality of opportunity, across all the activities of the school between different groups.
- The encouragement of good relations between people of a diverse background.

In the implementation of this plan the school will aim:

- To develop and promote a culture of equality and diversity throughout the school community.
- To develop and promote a culture of dignity, courtesy and respect.
- To respect the human rights of all our pupils and staff.
- To work to prevent all forms of unlawful discrimination and tackle barriers which could lead to unequal outcomes for identified groups of pupils and staff.
- To deal with all forms of discrimination consistently and effectively.
- To ensure that the Strategic Equality Plan influences and informs the ethos of the school.

Roles and Responsibilities:

All members of the school community are expected to behave with dignity, courtesy and respect and to act in a manner that does not unlawfully discriminate at all times.

Role of Pupils

- To support the aims of the Strategic Equality Plan.
- To encourage non-discriminatory practices and to report any incidences of behaviour that fail to comply with this policy.
- To be aware of equality and diversity issues.
- To adopt the same principles when they are outside of school

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Role of Governing Body

- To hold ultimate accountability for the Strategic Equality Plan.
- To ensure that the school complies with the Equality Act 2010 and that this policy and its related procedures and action plans are implemented.
- A designated member of the governing body has oversight of this plan and its implementation.

Role of Headteacher

- To provide leadership in the operation and implementation of the Strategic Equality Plan for pupils and staff.
- To ensure all staff are aware of their responsibilities under the equality Act 2010 and are given the appropriate training and support.
- To take appropriate action in any case of unlawful discrimination
- To allocate a senior member of staff for the day to day coordination of the implementation of this plan.

Role of Head teacher or nominated member of Senior Leadership Team

- To be the designated senior member of staff for the operation, management and coordination of all aspects of this plan and will be supported by the governing body in doing so.
- To devise and recommend policies, procedures and action plans to ensure that all legislative requirements are met and best practice adopted.
- To collect and review data in relation to the protected characteristics and the Welsh Language relating to pupils and staff.
- To review policies and procedures in relation to compliance with the Equality Act 2010 and to make changes as appropriate.
- To advise on the provision of appropriate equality training and awareness-raising in relation to all equal opportunities and diversity matters.
- To ensure that all appointment panels are aware of this policy and give due regard when it comes to employment or training opportunities.
- To ensure appropriate training for pupils, staff and governors on the Equality Act 2010 and any relevant equality and diversity issues
- To review the Strategic Equality Plan annually and advise the Governing Body of any matters with regard to the plan.

Role of school staff

- To support the aims of the schools' Strategic Equality Plan.
- To encourage non-discriminatory practices and to report any incidences of behaviour that fail to comply with policy.
- All staff will ensure that pupils are treated to their needs, fairly and with dignity and respect.
- To undertake appropriate equality and diversity training

Role of parents/carers

- To support the aims of the Strategic Equality Policy
- To support the school in the promotion of the principles of dignity, courtesy and respect
- To encourage children and young people to promote the above principles outside of school.

Training

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Schools will need to determine the level of Equality Act 2010 and Equality and Diversity awareness raising and training that will need to be provided for staff. In addition, information will need to be provided to all pupils in order to continue to raise awareness of equality and diversity and the contents of this plan through the schools PSE programme.

Communication of this plan

This plan is available on the school's website at www.stjosephs.cymru It will also be available in printed form from the school reception.

Confidentiality

Any information disclosed to the School in relation to equality and diversity issues will be kept strictly confidential in accordance with legislative requirements. On a termly basis and in line with the agreed protocol for data collection, the school will continue to provide the Education Directorate with agreed performance information in order to inform the Councils Education Inclusion matrix.

Good practice for dealing with discriminatory incidents

Any discriminatory incidents will follow the relevant school policy for managing behaviour or bullying or School Disciplinary policy for staff (whichever is appropriate). All incidents will be acknowledged, investigated and appropriate action taken. The school has a zero tolerance approach to all types of discriminatory behaviour and bullying.

Monitoring and evaluation.

This plan will be monitored annually by the Headteacher or nominated member of Senior Leadership Team. Statistics will be gathered to monitor equality across all aspects of the school's processes and will be used to inform future practice as a part of the schools self - evaluation process. The school will also take into account evidence from Estyn Inspection findings, independent reviews or feedback from the Council in response to the data gathered through the Education Inclusion matrix.

Review

The Governing Body, in consultation with the Head teacher, the pupils, staff and parents/carers, will review this plan annually in order to ensure the delivery of the action plan (Appendix 1).

Strategic Objectives

The following are the schools strategic objectives and are cognisant of the Councils equality objectives which are:

- i. Make equality vital in decision making and service provision;
- ii. Be an equal opportunity employer, with a workforce that is aware of, and understands the equality agenda
- iii. Do our best to engage, protect and support those people in our community that need it the most, and
- iv. Promote understanding and acceptance of diversity in our communities
- v. To monitor any discriminatory incidents of bullying over the next four years
- vi. To continue to monitor the attendance levels of children across the protected characteristics by over the next four years and reduce the gap in attendance to bring more into line with non FSM pupils
- vii. To implement a well-being matrix that will monitor pupil well-being The school objectives have been further informed through consultation with pupils, staff, pupils, Governors, parents/ carers and the wider school community.

Objective 1 : MAKE EQUALITY VITAL IN DECISION MAKING AND SERVICE PROVISION

Ref No	What are we going to do?	What is the timeframe?	Who will lead in making it happen?
1(3E)	Annual review of progress against individual school strategic equality plans and related action plans	July 2024 and annually thereafter	HT
2 (4E)	Report on the progress of School Equality Plan through the Governing Body	Annually – autumn term 2024	HT
3 (7E)	Work with the school community to raise the profile of the equality agenda and develop understanding	2023/24	SLT
4 (8E)	Establish the role and work programme of the link governor in schools	2023/24	HT, Governors
5 (17E)	Ensure that relevant equality web pages of school websites contain good quality, up to date equality information	2023/24 and ongoing	HT

6 (18E)	Monitor complaints and compliments procedures for equality issues and report on the governing body and corporate director	Annually autumn term for previous academic year beginning 2023	HT	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
				S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	

Objective 2: BE AN EQUAL OPPORTUNITY EMPLOYER, WITH A WORKFORCE THAT IS AWARE OF, AND UNDERSTANDS THE EQUALITY AGENDA

Ref No	What are we going to do?	What is the timeframe?	Who will lead in making it happen?	Considered Impact on Protected Characteristics √ that apply to the action			
** (22E)	Update information from staff to help address workforce equality issues by carrying out a staff questionnaire on equality issues	2023/24	HT, SLT	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
** (28E)	Offer a range of generic equality and diversity training opportunities including intranet focused e- learning pool, seminars, training courses and conferences	2023/2024	BG, HT	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
		2023/24	HT	S		SO	

** (29E)	Encourage staff in specific roles to undergo equality and diversity training e.g. frontline staff, customer service staff, key policy makers			A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
** (31E)	Provide effective counselling support to staff	2023/24	HT, OD	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
** (32E)	School to become proactive in equality forums	2023/24	HT, SLT, Governors	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
				A		GR	
				D		M&CP	

Objective 3 : DO OUR BEST TO ENGAGE, SUPPORT AND PROTECT THOSE PEOPLE IN OUR COMMUNITY THAT NEED IT THE MOST

Ref No	What are we going to do?	What is the timeframe?	Who will lead in making it happen?	Considered Impact on Protected Characteristics √ that apply to the action			
(33E)	<i>See EAL/Multilingual actions in SDP 2023/24</i>	2023/24	HT & EAL Lead	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	

				R&B		W	
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Objective 4 : PROMOTING UNDERSTANDING AND ACCEPTANCE OF DIVERSITY WITHN OUR COMMUNITIES

Ref No	What are we going to do?	What is the timeframe?	Who will lead in making it happen?	Considered Impact on Protected Characteristics √ that apply to the action			
** (56E)	Produce equality focused communication eg school newsletters, website	2023/24	HT	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
** (59E)	Research equality related campaigns and promote appropriately e.g. International Women's day, Holocaust Week, UN International Day for Older People Celebration	2023/24	HT, SLT	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
** (66E)	Develop projects which encourage people to get on together such as inter-generational, people from different religions, race, language sessions	2023/24	HT, SLT	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
				S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	

Objective 4 : PROMOTING UNDERSTANDING AND ACCEPTANCE OF DIVERSITY WITHN OUR COMMUNITIES

Ref No	What are we going to do?	What is the timeframe?	Who will lead in making it happen?	Considered Impact on Protected Characteristics √ that apply to the action			
** (56E)	Produce equality focused communication eg school newsletters, website	2016/2018	HT	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
** (59E)	Research equality related campaigns and promote appropriately e.g. International Women's day, Holocaust Week, UN International Day for Older People Celebration	2016/2020	HT, SLT	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
** (66E)	Develop projects which encourage people to get on together such as inter-generational, people from different religions, race, language sessions	2017/2018	HT, SLT	S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	
	<i>ADD ANY OTHER ACTIONS RELEVANT TO SCHOOL</i>			S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	

Add in further school specific objectives as listed in section 12 Objective

Ref No	What are we going to do?	What is the timeframe?	Who will lead in making it happen?	Considered Impact on Protected Characteristics √ that apply to the action			
				S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	

				R		P&M	
				R&B		W	
	<i>ADD ANY OTHER ACTIONS RELEVANT TO SCHOOL</i>			S		SO	
				A		GR	
				D		M&CP	
				R		P&M	
				R&B		W	