



Benincasa School

Draft Protected Disclosures in the Workplace Policy (Whistleblowing Policy)

What is Whistleblowing?

Whistleblowing is the term used when a worker raises a concern about a relevant wrongdoing such as possible fraud, crime, danger or failure to comply with any legal obligation which came to the worker's attention in connection with the worker's employment. Relevant wrong doings are broadly defined in the relevant Act and include the following:

- Commission of an offence — has happened, is happening, or is likely to happen;
- Failure to comply with any legal obligation (other than one arising under the worker's contract of employment);
- Miscarriage of justice;
- Health and safety of any individual;
- Misuse of public money;
- Gross mismanagement by public body;
- Damage to the environment;
- Destruction or concealment of information relating to any of the above.

It is important to note that a matter is not regarded as a relevant wrongdoing if it is a matter which it is the function of the worker or the worker's employer to detect, investigate or prosecute and does not consist of or involve an act or omission on the part of the employer.

In Benincasa School, whistleblowing may occur when an employee/ volunteer raises a concern or discloses information which relates to wrongdoing, illegal practices or unethical conduct which has come to his/her attention through work or in a work-related context.

Our school's whistleblowing policy is intended to encourage and enable employees/ volunteers to raise concerns within our school rather than overlooking a problem or "blowing the whistle" externally. Under this policy a staff member is entitled to raise concerns or disclose information without fear of penalisation or threat of less favourable treatment, discrimination or disadvantage.

Our Commitment

Benincasa School, in accordance with our school vision and ethos, is committed to maintaining an open culture with the highest standards of honesty and accountability where our employees/volunteers can report any concerns in confidence.

Who does the policy apply to?

This policy applies to all employees/volunteers.

It is important to note that if an employee/volunteer has a concern in relation to his/her own employment or personal circumstances in the workplace it should be dealt with by way of the relevant Grievance Procedure (i.e. INTO grievance procedure for teachers; IMPACT grievance procedure for relevant employees/volunteers and his/her contractual grievance procedure for contracted employees/volunteers). Likewise, concerns arising in regard to workplace relationships should generally be dealt with through our Adult Bullying,

concern and ensures that relevant disclosures are treated in confidence. The focus will be on the wrongdoing rather than the person making the disclosure. However, there are circumstances, as outlined in the Act, where confidentiality cannot be maintained, particularly in a situation where the employee/volunteer is participating in an investigation into the matter being disclosed. Should such a situation arise, the school will make every effort to inform the staff member that his/her identity may be disclosed.

Raising a Concern Anonymously

A concern may be raised anonymously. However, on a practical level, it may be difficult to investigate such a concern. The school would encourage staff members to put their names to allegations, with an assurance of confidentiality where possible, in order to facilitate appropriate follow-up. This will make it easier for the school to assess the disclosure and take appropriate action including an investigation if necessary. It should also be noted that there is no obligation on Benincasa School to accept and follow up on anonymous reports.

Procedure

Raising a Concern

Who should you raise your concern with?

As a first step, appropriate concerns should be raised with the Principal or in the event of the Principal not being available, Deputy Principal. However, should employee/volunteer not wish to use this route, for example given the seriousness and sensitivity of the issues involved, he/she should approach the Chairperson of the Board of Management.

How to raise a concern

Concerns may be raised verbally or in writing. Should a employee/volunteer raise a concern verbally, a discussion will take place between him/her and the Principal/Deputy Principal/Chairperson of Board of Management, and the employee/volunteer may be advised to put the concern in writing, if it is decided between both parties that there is merit to the concern or disclosure. The written concern/disclosure should give the background and history of the concern, giving relevant details, insofar as is possible, such as dates, sequence of events and description of circumstances.

The earlier the concern is expressed, the easier it will be for the school to deal with the matter quickly.

Having received the written concern, representatives from the Board of Management will arrange a meeting to discuss the matter with the employee/volunteer on a strictly confidential basis. It will need to be clarified at this point if the concern is appropriate to this procedure or is a matter more appropriate to other procedures, for example the Grievance or Adult Bullying procedures. The employee/volunteer can choose whether or not he/she wants to be accompanied by a colleague or a trade union representative. In regard to confidentiality, it is important that there should be an awareness of respecting sensitive school information, which, while unrelated to the disclosure, may be disclosed in the course of a consultation or investigation process.

Dealing with the disclosure

Having met with the employee/volunteer in regard to his/her concern and clarified that the matter is in fact appropriate to this procedure, the Board of Management or its representatives will carry out an initial assessment to examine what actions are needed to be taken to deal with the matter. This may involve simply clarifying certain matters, clearing up misunderstandings or resolving the matter by agreed action without the need for an

whom the disclosure is made.

Communication, Monitoring and Review

This policy will be communicated to employees/volunteers and the school community as appropriate and will be subjected to regular review. In accordance with the systematic cycle of review of policies adopted in Benincasa School, it will be reviewed initially after one year and then every three years, unless there is a compelling reason to review it earlier.

Signed: *Margaret McGrath*

Date: *01/07/2025*

(Chairperson, Board of Management)

