

Introduction

St. Anne's Secondary School is a Catholic Voluntary secondary school for girls, established by the Sisters of Mercy over 100 years ago and now under the trusteeship of CEIST. We have a highly qualified, dedicated and caring staff whose expertise enables students to excel. Our learning environment is happy and creative which contributes to the students' enjoyment of learning. In St. Anne's we strive to provide education of the highest quality in a positive learning environment, where each student is enabled to maximise their talents both academically and personally.

Mission Statement

The management and teaching staff of St. Anne's Secondary School Tipperary, in co-operation with parents, are committed to the provision of a broadly-based education to the girls of the region and to achieving a balance between the academic, social, cultural, spiritual and physical components of that education, within the tradition established by the Mercy Sisters and continued by CEIST.

Legislation underpinning this policy

- Protected Disclosures Act 2014
- The Protected Disclosures (Amendment) Act 2022

Scope of the Protected Disclosures Acts of 2014 and 2022

Workers are defined in the 2014 Act as including employees, ex-employees, consultants, agency workers; essentially anyone who is contracted to provide work for an employer in the public or private sector. The 2022 Act significantly expands the group of people protected disclosure legislation would apply to. The definition of "worker" in the 2022 Act includes:

- Employees
- Consultants
- Agency workers
- People engaging in work experience
- Shareholders
- Volunteers
- Individuals who are members of the administrative, management or supervisory body of an undertaking
- Prospective employees involved in the recruitment process

Protected Disclosure Definition

The Protection Disclosure's Act 2014 defines a protected disclosure as follows:

For the purposes of this Act "protected disclosure" means, subject to subsection (6) and sections 17 and 18, a disclosure of relevant information (whether before or after the date of the passing of this Act) made by a worker in the manner specified in section 6, 7, 8, 9 or 10. 8 [2014.] Protected Disclosures Act 2014. [No. 14] PT.2 S.5 (2) For the purposes of this Act information is "relevant information" if— (a) in the reasonable belief of the worker, it tends to show one or more relevant wrongdoings, and (b) it came to the attention of the worker in connection with the worker's employment.

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 wrongdoings 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 St. Anne's Secondary School, whistleblowing may occur when a staff member raises a concern or discloses information which relates to wrongdoing, illegal practices or unethical conduct which has come to his/her attention through work.

Our school's policy is intended to encourage and enable staff members 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.

It is important to note that if a staff member 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. Likewise, concerns arising in regard to workplace relationships should generally be dealt with through the school's Dignity in the Workplace Policy.

It is also important to note that this whistleblowing policy does not replace any legal reporting or disclosure requirements. Where statutory reporting requirements and procedures exist, these must be complied with fully.

Aims of the Policy

- To encourage staff to feel confident and safe in raising concerns and disclosing information.
- To provide avenues for staff to raise concerns in confidence and receive feedback on any action taken.
- To ensure that staff receive a response to their concerns and information disclosed, where possible.
- To reassure staff that they will be protected from penalisation or any threat of penalisation.

What types of concerns can be raised?

A concern or disclosure should relate to a relevant wrongdoing such as possible fraud, crime, danger or failure to comply with any legal obligation which has come to a staff member's attention in connection with his/her employment and about which he/she has a reasonable belief of wrongdoing.

Principles underpinning this policy

- All reports of wrongdoing in the workplace should, as a matter of routine, be the subject of an initial assessment and any appropriate follow-up action;
- The focus of the process should primarily be on the wrongdoing reported, and whether it is a relevant wrongdoing, and not on the reporting person;
- The identity of the reporting person and any person concerned should be adequately protected; and
- Provided that the reporting person discloses information relating to a relevant wrongdoing, in an appropriate manner, and based on a reasonable belief, no question of penalisation should arise.

Safeguards and Penalisation

A worker who makes a disclosure and has a reasonable belief of wrongdoing will not be penalised by the school, even if the concerns or disclosure turn out to be unfounded.

Penalisation includes suspension/dismissal, disciplinary action, demotion, discrimination, threats or other unfavourable treatment arising from raising a concern or making a disclosure on the basis of reasonable belief for doing so. If a staff member believes that he/she is being subjected to penalisation as a result of making a disclosure under this procedure, he/she should inform the Principal or Chairperson of the Board of Management immediately.

Staff members who penalise or retaliate against those who have raised concerns under this policy will be subject to disciplinary action.

Confidentiality

This school is committed to protecting the identity of the staff member raising a 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 staff member 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

Under the Protected Disclosures (Amendment) Act 2022, there is no obligation on the school to accept an anonymous report. However, where the school does accept an anonymous report and where a worker's identity subsequently becomes known, the protection against penalisation will extend to them. On a practical level, it may be difficult to investigate concerns that have been raised anonymously. The school encourages 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.

Procedure for raising a concern

The Principal of St. Anne's Secondary School is the designated person for receiving protected disclosures. If the protected disclosure relates to the Principal, the Chairperson of the Board of Management will be the designated person for receiving protected disclosures. Please note that the Deputy Principal acts on behalf of the Principal in the principal's absence.

Concerns may be raised verbally or in writing. Should a staff member raise a concern verbally, a discussion will take place between him/her and the Principal/Deputy Principal/Chairperson of Board of Management, and the staff member 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 staff member 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 Dignity in the Workplace procedures. The staff member 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

The designated person for receiving protected disclosures will formally acknowledge receipt of a protected disclosure within seven days. Having met with the staff member 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 investigation.

If, on foot of the initial assessment, it is concluded that there are grounds for concern that cannot be dealt with at this point, an investigation will be conducted which will be carried out fairly and objectively. The form and scope of the investigation will depend on the subject matter of the disclosure.

Disclosures may, in the light of the seriousness of the matters raised, be referred immediately to the appropriate authorities. Likewise, if urgent action is required (for example to remove a health and safety hazard), this action will be taken.

It is important that staff members feel assured that a disclosure made under this policy is taken seriously and that the staff member is kept informed of steps being taken in response to the disclosure. In this regard the school undertakes to communicate with the relevant staff member as follows:

- Acknowledge receipt of the disclosure and arrange to meet with the relevant staff member as outlined above.
- Inform the staff member of how it is proposed to investigate the matter and keep him/her informed of actions, where possible, including the outcome of any investigation, and, should it be the case, why no further investigation will take place. However it is important to note that sometimes the need for confidentiality and legal considerations may prevent the school from giving the staff member specific details of an investigation.
- Inform the staff member of the likely time scales in regard to each of the steps being taken, but in any event, commit to dealing with the matter as quickly as practicable.

It is possible that in the course of an investigation the staff member may be asked to clarify certain matters. To maximise confidentiality, such a meeting can take place outside of the school and he/she can choose whether or not to be accompanied by a colleague or trade union representative.

St. Anne's Secondary School is committed to providing feedback to the reporting person within a reasonable period, being not more than three months from the date the acknowledgement of receipt of the report

Where a concern is raised or a disclosure is made in accordance with this policy, but the allegation is subsequently not upheld by an investigation, no action will be taken against the staff member making the disclosure and the staff member will be protected against any penalisation. It is important to note that if an unfounded allegation is found to have been with malicious intent, then disciplinary action may be taken.

How the matter can be taken further

The aim of this Policy is to provide an avenue within this school to deal with concerns or disclosures in regard to wrongdoing. The Board of Management is confident that most issues can be dealt with at school level and strongly encourages staff members to report such concerns internally.

It is acknowledged that there may be circumstances where a staff member wants to make a disclosure externally and the legislation governing disclosures — The Protected Disclosures Acts 2014 — provides for a number of avenues in this regard.

It is important to note, however, that while a staff member needs only have a reasonable belief as to wrongdoing to make a disclosure internally, if he/she is considering an external disclosure, different and potentially more onerous obligations apply depending on to whom the disclosure is made.

Communication, Monitoring and Review

This policy will be communicated to staff and the school community as appropriate and will be subjected to regular review.

This policy was approved by the Board of Management on 18/05/2023 and is scheduled for review in the 2024/25 academic year.

Signature:  (Chairperson of Board of Management)

Signature:  (Principal/Secretary to the BOM)