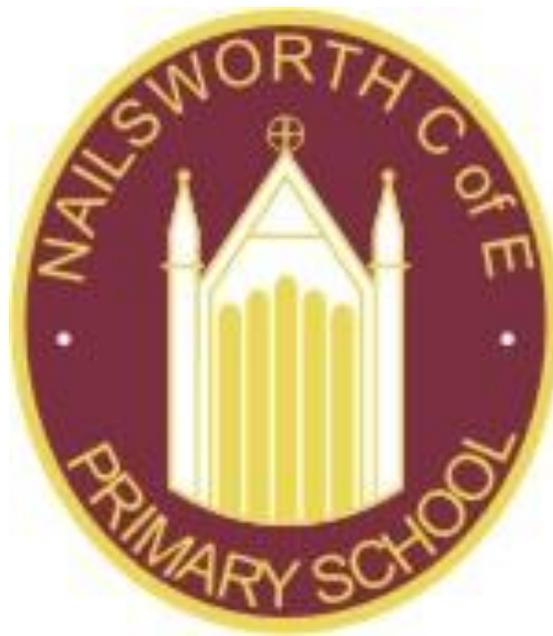


## Policy Statement for

# Whistleblowing



Change History	Summary of Key Changes
Dec 2014	Updated to new format
Jan 2016	Minor changes
Jan 2018	Added contact details for alternative sources of help in relation to whistleblowing as per updates in <i>Keeping Children Safe...</i> (Sept 2016); link to Safeguarding Policy for Allegations of Abuse

## 1. INTRODUCTION

- 1.1 Employees are often the first to realise that there may be something seriously wrong within the school. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or the school. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 The Governing Body of Nailsworth C of E Primary School are committed to the highest possible standards of openness, probity and accountability. In line with that commitment we see it as an obligation for employees and others that we deal with, who have serious concerns about any aspect of the school to come forward and voice those concerns. It is better to investigate and find a concern ungrounded than for misconduct to go unreported. It is recognised that most cases will have to proceed on a confidential basis.
- 1.3 The Policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing policy is intended to encourage and enable employees to raise serious concerns **within** the school rather than overlooking a problem or ‘blowing the whistle’ outside.
- 1.4 The policy applies to all employees and applies equally to those designated as casual, temporary, agency, authorised volunteers or work experience, Governors and those contractors working for the school or on school property, for example, agency staff, builders, and drivers. It also covers suppliers and those providing services under a contract with the school in their own premises.
- 1.5 These procedures are in addition to the schools complaints procedures and other statutory reporting procedures. Service Users should be made aware of the existence of these procedures.

## 2. AIMS AND SCOPE OF THIS POLICY

- 2.1 This policy aims to:-
- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
  - provide avenues for you to raise those concerns and receive feedback on any action taken;
  - ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied;

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- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

2.2 There are existing procedures in place to enable you to lodge a grievance etc relating to your own employment. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures.

These include:-

- Conduct which is an offence or a breach of law;
- disclosures related to miscarriages of justice;
- health and safety risks, including risks to the public/pupils as well as other employees
- damage to the environment;
- the unauthorised use of public funds;
- possible fraud and corruption – see Note below;
- other unethical conduct

### **Allegations of Abuse**

Safeguarding and Child Protection procedures should be followed where allegations indicate that a staff member or volunteer would pose a risk of harm if they continue to work in regular or close contact with children in their present position, or in any capacity. See **Safeguarding and Child Protection Policy** (available on the school website or on request from the school office)

2.3 Thus, any serious concerns that you have about any aspect of service provision or the conduct of schools staff, governors, or others acting on behalf of the school can be reported under the Whistleblowing Policy. This may be about something that:

- Makes you feel uncomfortable in terms of known standards, you experience or the standards you believe the governors and the school subscribe to; or
- Is against the Council's Standing Orders and policies; or
- Falls below established standards of practice; or
- Amounts to improper conduct.

2.4 This policy does NOT replace the school complaints procedures

### **3. SAFEGUARDS AGAINST HARASSMENT OR VICTIMISATION**

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- 3.1 The Governing Body are committed to good practice and high standards and want to be supportive of employees.
- 3.2 It is recognised that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.
- 3.3 The Governing Body will not tolerate any harassment or victimisation, (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.
- 3.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

#### **4. CONFIDENTIALITY**

- 4.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

#### **5. ANONYMOUS ALLEGATIONS**

- 5.1 This policy encourages you to put your name to your allegation whenever possible.
- 5.2 Concerns expressed anonymously are much less powerful but will be considered in the context of the following factors:-
- \* the seriousness of the issues raised;
  - \* the credibility of the concern; and
  - \* the likelihood of confirming the allegation from attributable sources.

#### **6. UNTRUE ALLEGATIONS**

- 6.1 If you make an allegation in good faith but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

#### **7. HOW TO RAISE A CONCERN**

- 7.1 As a first step, you should normally raise concerns with a designated senior member of staff (where appropriate)/Head teacher/Chair of Governors. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. Where the concern relates to the head teacher and

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the chair of governors, you should raise the matter with any other governor or the L.E.A., contact details will be found on the school website.

Where a staff member feels unable to raise an issue with their employer or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

- General guidance can be found at <https://www.gov.uk/whistleblowing>
- The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 (available 8:00am to 8:00pm, Monday to Friday, email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk))

7.2 Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:-

- \* the background and history of the concern (giving relevant dates);
- \* the reason why you are particularly concerned about the situation.

7.3 The earlier you express the concern the easier it is to take action.

7.4 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

7.5 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

7.6 You may invite your Trade Union, Teacher Association, representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised. The meetings may be arranged off school premises.

## 8. HOW THE GOVERNING BODY WILL RESPOND

8.1 The Governing Body will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them. If you confirm your wish to raise your concerns formally under the policy, a responsible person will be designated by the school management or L.A., where appropriate to co-ordinate the response to you in accordance with Paragraph 8.5 below and where the responsible person is outside the management of the school, he/she will notify the Chair of Governors for registration, monitoring and reporting purposes.

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- 8.2 Where appropriate, the matters raised may:-
- \* be investigated by school, Local Authority, internal audit, or through the disciplinary process;
  - \* be referred to the external auditor;
  - \* form the subject of an independent inquiry.
- 8.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which school management will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 8.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 8.5 Within ten working days of a concern being raised, the responsible person will write to you:-
- \* 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;
  - \* telling you whether any initial enquiries have been made;
  - \* supplying you with information on staff support mechanisms (where appropriate), and
  - \* telling you whether further investigations will take place and if not, why not.
- 8.6 The amount of contact between those considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary further information will be sought from you.
- 8.7 Where any meeting is arranged, away from school premises if you so wish, you can be accompanied by a Trade Union or Teacher Association representative or a friend.

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8.8 The Governing Body will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings arrangements will be made for you to receive advice about the procedure.

8.9 It is accepted that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will be informed of the outcome of any investigation.

## 9. THE RESPONSIBLE OFFICER

9.1 The Chair of Governors has overall responsibility for the maintenance and operation of this policy in respect of concerns raised formally outside the management of the school. That officer maintains a record of concerns raised and the outcome (but in a form which does not endanger your confidentiality) and will report as necessary to the Governing Body. In respect of concerns raised internally within the school the head teacher will maintain a record of concerns raised and the outcome and will report as necessary to the Governing Body.

## 10. HOW THE MATTER CAN BE TAKEN FURTHER

10.1 The policy is intended to provide you with an avenue within the school to raise concerns. The Governing Body hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the Governing Body, the following are possible contact points:-

- \* Public Concern at Work (01207 404 6609), a registered charity whose services are free and strictly confidential;
- \* the external auditor;
- \* your Trade Union/Teacher Association;
- \* your local Citizens Advice Bureau;
- \* relevant professional bodies or regulatory organisations;
- \* a relevant voluntary organisation;
- \* the police.

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- 10.2 If you do take the matter outside the school, you should ensure that you do not disclose confidential information. Check with the contact point about that.

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