



SALESBURY C.E. PRIMARY SCHOOL

Policy Statement for Whistleblowing

Introduction

- 1.1 The Governing Body is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we expect employees, and others that we deal with, who have serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis. Page | 1
- 1.2 Under this Whistleblowing Policy you can raise such concerns without fear of victimisation, subsequent discrimination or disadvantage. Any employee who raises a concern is protected by the Public Interest Disclosure Act 1998, part of which was updated by the Enterprise and Regulatory Reform Act 2013. The Policy is intended to encourage and enable employees to raise serious concerns within the school or the council rather than overlooking a problem or 'blowing the whistle' outside.
- 1.3 Employees are often the first to realise that there may be something seriously wrong within the school/council. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues, the school or to the council. 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.
- 1.4 The policy applies to all employees and applies equally to those designated as casual, temporary or agency workers and authorised volunteers, those on work experience and governors. It also applies to contractors working for the school or the council on the school's premises e.g. agency staff, builders, drivers, and covers suppliers and those providing services under a contract with the school in their own premises. Members of the public should raise concerns relating to any aspect of school business under the school's Complaints Procedure.
- 1.5 This policy is in addition to the schools/council's complaints procedures and other statutory reporting procedures, including safeguarding procedures. Employees should be made aware of the existence of these procedures.
- 1.6 This policy has been discussed with the recognised trade unions/professional associations and the Diocesan Authorities and has their support.

Aims

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Let all staff in the school know how to raise concerns about potential wrongdoing in or by the school
- Set clear procedures for how the school will respond to such concerns

- Let all staff know the protection available to them if they raise a whistle-blowing concern
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied; and

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the school in any capacity, including self-employed consultants or contractors who provide services on a personal basis and agency workers.

Legislation

This policy has been written in line with the above document, as well as [government guidance on whistle-blowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

Definition of whistle-blowing

Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest". Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupils' or staff health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the school count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

When staff have a concern they should consider whether it would be better to follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work) has:

- [Further guidance](#) on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure
- A free and confidential [advice line](#)

Procedure for staff to raise a whistle-blowing concern

When to raise a concern

Staff should consider the examples in section 3 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or school procedures, put people in danger or was an attempt to cover any such activity up.

Who to report to

School-based staff should report their concern to the headteacher. If the concern is about the headteacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Chair of Governors.

How to raise the concern

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

Procedure for responding to a whistle-blowing concern

Investigating the concern

When a concern is received by the headteacher – referred to from here as the 'recipient' – they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative
- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy)
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
 - The recipient should then arrange a further investigation into the matter, if appropriate. In some cases, they may need to bring in an external, independent body to investigate. In others, they may need to report the matter to the police
 - The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps

Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has

occurred. The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the Governing Board, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the school will consider whether any disciplinary action is appropriate against the person making the allegation.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. It must be appreciated that the investigation process may reveal the source of the information and you may need to come forward as a witness and provide a statement as part of the evidence.

It may be possible to establish the truth about allegations from another independent source and the school will seek to do this where possible.

The school expects all organisations that deal with us and who have serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

Anonymous allegations

This policy encourages you to put your name to your allegation whenever possible.

Where an individual chooses to report their concerns anonymously, such anonymity will be respected. However, our ability to investigate anonymous complaints can be hampered by not being able to further explore issues or obtain evidence during the investigative process. Furthermore, if we do not know who has provided the information, it is not possible to either reassure or protect you.

Concerns expressed anonymously may be less powerful and will only be considered at the discretion of the school. In exercising such discretion, the following factors may need to be taken into account:

- the seriousness of the issues raised;

- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

If the allegation suggests criminal activity and the case warrants police assistance, the identity of the person reporting the details may be important at a later date if criminal proceedings are to be pursued effectively. Identification is therefore preferred and will assist the investigation.

Escalating concerns beyond the school

The school encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body.

How the matter can be taken further

This 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 School, you may wish to contact your trade union/professional association or one of the following possible contact points:

External Auditor	<input type="checkbox"/> Grant Thornton LLP 4 Hardman Square Spinningfields Manchester M3 3EB <input type="checkbox"/> 0161 953 6900 Website: https://www.grantthornton.co.uk/en/office-locations/?location=manchester
Public Concern at Work	<input type="checkbox"/> Public Concern at Work CAN Mezzanine 7-14 Great Dover Street London SE1 4YR <input type="checkbox"/> 020 7404 6609 Email: whistle@pcaw.org.uk Website: http://www.pcaw.org.uk/
Lancashire Constabulary	<input type="checkbox"/> Lancashire Constabulary Headquarters PO Box 77 Hutton Preston PR4 5SB <input type="checkbox"/> 101 Website: https://www.lancashire.police.uk/
Action Fraud	<input type="checkbox"/> 0300 123 2040 Website: https://www.actionfraud.police.uk/
HM Customs and Excise	<input type="checkbox"/> HMRC Fraud Hotline Cardiff

	CF14 5ZN ☎: 0800 788 887 Website: https://www.gov.uk/government/organisations/hm-revenue-customs/contact/customs-excise-and-vat-fraud-reporting
The Information Commissioner	✉ The Office of the Information Commissioner Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF ☎ 0303 123 1113 Website: https://ico.org.uk/
The Environment Agency	✉ National Customer Contact Centre PO Box 544 Rotherham S60 1BY ☎ 03708 506 506 Email: enquiries@environment-agency.gov.uk Website: https://www.gov.uk/government/organisations/environment-agency
Health and Safety Executive	✉ Health & Safety Executive Redgrave Court Merton Road Bootle Merseyside L20 7HS ☎ 0300 003 1747 Website: http://www.hse.gov.uk/contact/index.htm

Approval

This policy will be reviewed every two years.

These procedures have been agreed by the board of trustees, who will approve them whenever reviewed.

Links with other policies

This policy links with our policies on:

- Staff grievance policy
- Complaints procedure
- Child protection policy