

# Whistleblowing policy



<b>Approved by:</b>	Governing Body
<b>Last reviewed on:</b>	September 2021
<b>Next review due by:</b>	September 2022

## 1. Operational Summary

### 1.1. Policy Aim

Amble First School insists on honesty, integrity, inclusion, diversity, equity and fairness in all aspects of its business and expects the highest standards of professionalism and ethical conduct to be maintained in all its activities. The school expects the same in its relationships with all employees.

Pursuant to this, the school promotes a culture of openness and accountability.

The objectives of the Whistleblowing Policy are as follows:

- To encourage employees to report suspected wrongdoing as soon as possible, with the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be protected wherever possible.
- To provide employees with guidance as to how to raise those concerns.
- To reassure employees that they are able to raise genuine concerns in good faith in the public interest without fear of reprisals, even if they turn out to be mistaken.

All employees working have a contractual right and duty to raise genuine concerns they have with their employer about malpractice, service user safety, financial impropriety, bribery or any other serious risks they consider to be in the public interest. This policy has been developed to ensure that the school has a process for employees to raise any such concerns. It complies with the Public Interest Disclosures Act 1998 and good practice, which protects employees from being subject to detriment by their employer because they have made a report.

### 1.2 Legal framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Public Interest Disclosure Act 1998
- Employment Rights Act 1996

# Whistleblowing policy



- DfE (2021) 'Keeping children safe in education 2021'
- GOV.UK (2012) 'Whistleblowing for employees'
- DfE (2014) 'Whistleblowing procedure for maintained schools'
- Sir Robert Francis (2015) 'Freedom to speak up report'
- This policy operates in conjunction with the following school policies:
- Disciplinary Policy and Procedure
- Records Management Policy
- Complaints Procedures Policy
- Data Protection Policy

## 1.3 What it means for staff

**Headteachers/Line Managers** - are responsible for ensuring adequate dissemination and implementation of policies. They are also responsible for making employees aware of the existence of these procedures.

**All Employees** - are responsible for reading the new/revised policies to maintain current awareness of changes which impact on their roles. All employees should work to create a culture of openness and accountability.

## 2. Introduction

2.1 The school welcomes suggestions from employees as to ways to ensure continuous development and improvement. There is an expectation that employees will report any concerns about possible bad practice. This will usually be facilitated through normal management arrangements, however, where that is not possible, this policy provides an avenue for reporting serious malpractice.

Employees are often the first to realise that there may be something seriously wrong within the school. However, in some cases they may not express their concerns because they feel that speaking up would be disloyal. 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. However, the school is committed to the highest possible standards of openness, integrity and accountability.

In line with that commitment the school encourages employees, and others who it deals 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.

Reporting a concern ("Blowing the Whistle") can be done without fear of victimisation, subsequent discrimination or disadvantage. This policy is intended to encourage and enable employees to raise serious concerns within the school rather than overlooking a problem or reporting the matter outside of the school.

# Whistleblowing policy



The right to report a concern “blow the whistle” and speak up applies to all employees/volunteers working for the school on its premises.

These procedures are in addition to the school’s complaints procedures.

## 3. Purpose

3.1 The purpose of this policy is to:

- encourage employees to feel confident in raising serious concerns and to question and act upon concerns about practice;
- provide avenues for employees to raise those concerns and receive feedback on any action taken;
- ensure that employees receive a response to their concerns and ensure that they are aware of how to pursue them if they are not satisfied;
- reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made a disclosure in the public interest;

## 4. Scope of the policy

4.1 Providing employees raising a concern meet the legal definition, employees making a protected disclosure are protected when making a disclosure in order to encourage individuals to speak out.

A disclosure is within the scope of a protected disclosure if it indicates that the following may have occurred (please note that this is not an exhaustive list):-

- a criminal offence and/or activities
- bribery, corruption or blackmail
- financial malpractice or irregularity
- improper use of authority
- failure to comply with any legal obligations or regulatory requirements
- miscarriage of justice
- there is a threat to an individual's health and safety
- damage to the environment
- covering up wrongdoing in respect of any of the above
- conduct likely to damage the schools reputation
- breaches to the schools internal policies and procedures
- deliberate concealment regarding information about known malpractices (financial or otherwise)
- fraud or theft against the school or suppliers

# Whistleblowing policy



- negligence.

In addition, employees must also have a reasonable belief that the disclosure is in the public interest. This policy should not be used for complaints relating to their own personal circumstances, such as the way they have been treated at work. In those cases they should use the appropriate internal procedure, for example the Grievance Procedure.

Any serious concerns that employees have, which are in the public interest, about any aspect of service provision or the conduct of others within the school can be reported under the Whistleblowing Policy.

This policy does not replace the School's Complaints Procedure.

## 5. Safeguards against harassment or victimisation

5.1 The school is committed to good practice and high standards and wants to be supportive of employees.

The school recognises that the decision to report a concern can be a difficult one to make; ultimately however they will be doing their duty to their employer and those for whom employees are providing a service.

The school will not tolerate any harassment or victimisation of any kind. Harassment or bullying of a whistleblower constitutes a disciplinary offence and the school will take appropriate action, including disciplinary action if necessary, to protect employees when they raise a concern.

Any investigation into allegations of potential malpractice will not influence or be influenced by other procedures such as investigations and hearings under the disciplinary, health and wellbeing, capability, redundancy or any other dismissal procedures that already affect an employee or may affect them in the future.

### 5.2 Confidentiality

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

### 5.3 Anonymous Concerns' Reporting

This policy, nevertheless, encourages employees to put their name to their concern whenever possible. Concerns expressed anonymously are much more difficult to investigate thoroughly. It should be emphasised, however, that **wherever possible** confidentiality will be preserved.

In exercising this discretion the factors to be taken into account would include:-

# Whistleblowing policy



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

Whilst employees can remain anonymous if they choose, the school does not encourage anonymous reporting. Proper investigation may be more difficult or impossible if further information from the person raising a concern cannot be obtained; it is also more difficult to establish whether any such allegations are credible and have been made in the public interest. People who are concerned about possible reprisals if their identity is revealed are assured that the school will not tolerate any victimization or detrimental treatment of anyone who raise a concern in the good faith in the Public Interest.

## 5.4 Untrue Allegations

If an employee reports a concern in good faith, but it is not confirmed by the investigation, no action will be taken against that employee. If, however, an employee makes an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

## 6. How to raise a concern

6.1 As a first step, employees should normally raise concerns with their immediate manager or a more senior manager such as the headteacher.

Concerns can be raised verbally or in writing. Wherever possible, concerns should be made in writing using the template at Appendix 1.

If the concern is raised verbally, a written note will be taken in line with the template at Appendix 1.

In some cases, employees may feel unable, or it may not be appropriate, to raise concerns with their immediate manager due to the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. In this case, the concern can be reported directly to the headteacher. If an individual is raising a concern about the headteacher, they should express their concerns in writing to the chair of governors.

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

Unless criminal actions are suspected employees may invite their trade union representative or a work colleague to be present during any meetings or interviews in connection with the concerns raised.

## 7. Independent Whistleblowing Hotline

7.1 Where the matter is more serious, or where employees feel that their line manager or their manager has not addressed the concern, or employees prefer not to raise it with them for any reason, they should utilise the independent confidential hotline. The company providing this service is Safecall.

# Whistleblowing policy



Safecall provide an independent external reporting line where employees can raise their concerns about the school and be assured they will be fully addressed. Each call is treated in complete confidence by skilled call handlers who will summarise the content of the call and send it to the Monitoring Officer for dissemination as appropriate. Safecall will not disclose an employee's name to the school if they wish to remain anonymous.



Safecall can be contacted via e-mail [northumberlandcc@safecall.co.uk](mailto:northumberlandcc@safecall.co.uk) or via the web [www.safecall.co.uk/report](http://www.safecall.co.uk/report).

Alternatively, staff can contact the NSPCC Whistleblowing Helpline on 0800 028 0285 or the LADO.

## 8. Investigation and outcome

8.1 Once employees have raised a concern we will deal with it fairly and in an appropriate way. We will carry out an initial assessment to determine the scope of any investigation and will inform the employee of the outcome of that assessment. The person raising the concern may be required to provide further information.

Wherever possible the school will aim to keep the employee informed of the progress of the investigation and it's likely timescale. However, sometimes the need for confidentiality may prevent the school giving the employee specific details of the investigation or any disciplinary action taken as a result. All persons involved in this process should treat any information about the investigation as confidential.

Where any meeting is arranged, off site if employees so wish, and unless criminal actions are suspected, they can be accompanied by a union representative or a work colleague.

The school will take steps to minimise any difficulties which employees may experience as a result of raising a concern. For instance, if the person raising the concern is required to give evidence in criminal or disciplinary proceedings, the school will arrange for them to receive advice about the procedure and they may also wish to contact Occupational Health for support.

The school accepts that employees need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, the school will inform the employee of the outcome of any investigation but the employee must keep that information confidential.

# Whistleblowing policy



## 9. How the matter can be taken further

9.1 This policy is intended to provide employees with an avenue within the school to raise concerns. The school hopes those raising concerns will be satisfied with any action taken. If not, and if employees feel it is right to take the matter outside of the school, further possible contact points are given in the External Contact List at the end of this booklet.

If the matter is not referred to an external body, employees should ensure that they do not disclose information which should properly remain confidential. Those persons raising a concern will need to confirm this with the person or organisation that they decide to contact.

## 10. Independent advice

If an employee wants independent advice at any stage they can contact:

Public Concern at Work  
Telephone: 020 7404 6609  
[www.pcaw.co.uk](http://www.pcaw.co.uk)

Public Concern at Work is a registered charity which is the independent authority on public interest whistleblowing. Its lawyers can give free, confidential advice at any stage about raising a concern about serious wrongdoings or malpractice at work

## 11. Training and support

Advice can be gained from the HR department in relation to the implementation of this policy and associated procedure.

## 12. Contact list

If employees have used the appropriate internal procedures and are not satisfied with any action taken in relation to their concerns and if they feel it is right to take the matter outside of the school, further possible contact points are given below. It is stressed that the list below is not exhaustive and employees are free to contact any organisation which they feel will be able to deal properly with their concerns.

<b>Action Fraud</b>	Anti Fraud & Corruption Hotline	0207 630 1019
<b>External</b>	Northumbria Police	03456 043 043

# Whistleblowing policy



<b>Auditor/Professional Bodies</b>	Ernst & Young	0191 247 2500
	CIPFA	0207 543 5600
	Royal Town Planning Institute	0207 929 9494
	Environment Agency	0870 850 6506
<b>Regulatory Organisations</b>	H&S Executive	0191 202 6300
	Ofsted	0845 640 4045
	Commission for Social Care Inspection	01670 707900
	Barnardos	0191 281 5024
<b>Other</b>	Safecall	0800 915 1571
	NSPCC	0800 028 0285

## APPENDIX 1

PRIVATE AND CONFIDENTIAL

RAISING A CONCERN



# Whistleblowing policy



**To be completed by the person initially raising the concern and/or the manager to whom the concern was raised.**

Name of person raising concern:  
(may be anonymous)

Job title

Contact address

Telephone

Email

Relationship with subject of allegations (for  
example manager, colleague, none, etc.)

**Brief outline of nature of concern and dates.**

(Please outline nature of concern providing details of suspected wrongdoing including  
name(s), job title(s), date(s), timescale(s), place and other relevant information).

**Please use additional sheets if necessary**

**Declaration (may be anonymous)**

Signature:  
(of person raising initial

# Whistleblowing policy



concern)

Please print name: \_\_\_\_\_

Date: \_\_\_\_\_  
\_\_\_\_\_

**To be completed by the manager to whom the concern was raised:**

Name

Job title

Telephone

Place of work

Email

Relationship with subject of allegations (for example manager, colleague, none, etc.)

Additional information obtained from the person raising the concern to help clarify the nature of the concern, if applicable.

Signature: \_\_\_\_\_

# Whistleblowing policy



(of person to whom  
complaint is raised)

Please print name:

Date: