

# **The Bellbird Primary School**



## **Whistleblowing Policy**

**November, 2020**

**(To be reviewed Autumn 2022)**

## Introduction

This Policy has been developed to ensure that an internal mechanism exists for dealing with concerns raised by staff that are considered 'protected disclosures' under the [Public Interest Disclosure Act](#), (1998) and associated DfE guidance 2013 provide a systematic process to be followed when making and/or investigating such a disclosure.

The Whistleblowing Policy is intended to cover any concerns that fall outside the scope of other policies. Concerns that could be raised under the policy include:

- Sexual, physical or emotional abuse of pupils or other individuals
- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Health & Safety risks, including risks to the public as well as employees
- Damage to the environment
- Unauthorised use of public funds
- Action that is contrary to the Council's financial procedures or contract regulations
- Possible fraud, corruption or financial irregularity
- Actions that is against the Governors standing orders and policies
- Practise that falls below established standards or practice
- Other improper or unethical conduct.

## Raising a Concern

To Whom: Before blowing the whistle workers should use team meetings and other opportunities to raise questions and seek clarification on issues that concern them.

Staff should raise concerns with their immediate manager or manager's superior. Alternatively, depending on the seriousness and sensitivity of the issues and who is involved, a member of staff may approach the Headteacher or Chair of Governors.

### How:

Concerns should be raised in writing and include:

- reference to the fact that it is a whistleblowing disclosure;
- the background and history of the concerns;
- names, dates and places (where possible); and
- the reasons why the member of staff is particularly concerned about the situation.

Staff who feel unable to put the concern in writing, can telephone or meet the appropriate manager.

### Representation

In some cases it may be appropriate for a member of staff to ask his/her trade union to raise a matter on his/her behalf.

## Responding to a Concern

The action taken by the School will depend on the nature of the concern. The matters\* raised may:

- be investigated internally by an appropriate manager;
- be referred to the Police;
- be referred to the Local Authority; and/or

- form the subject of an independent inquiry.

*\*All issues will be referred to the Headteacher for record keeping/monitoring purposes.*

### Support and Protection

'Blowing the whistle' can be difficult and stressful. Managers will ensure that they do their best to protect the identity of the member of staff raising the concern and that he/she is not subjected to harassment or victimisation from others. The member of staff will be given the contact details of people who can offer support and advice, e.g. trade union representatives, and will be offered access to the Local Authority counselling scheme. The only exception to this shall be where the whistleblower themselves gives written permission to do so.

### Initial Enquiries

In order to protect individuals and the School, initial enquiries (usually involving a meeting with the individual raising the concern) will be made to decide whether an investigation is appropriate and, if so, what form it should take. Normally concerns or allegations that raise issues that fall within the scope of other policies/procedures (e.g. child protection, health & safety or discrimination issues) will be addressed under those procedures.

Some concerns may be resolved at this initial stage simply, by agreed action or an explanation regarding the concern, without the need for further investigation.

### Investigation

The Headteacher, or Chair of Governors will investigate the concerns thoroughly, ensuring that a written response can be provided **within ten working days**.

The response should include details of how the matter was investigated, conclusions drawn from the investigation, and whom to contact should the member of staff be unhappy with the response and wish to raise the matter externally.

If the investigation cannot be completed within the timescale above, the member of staff should receive a response that indicates:

- progress to date;
- how the matter is being dealt with; and
- how long it will take to provide a final response.

Copies of all correspondence should be sent to the Chair of Governors for record keeping/monitoring purposes.

### Untrue Allegations

If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against that member of staff. If, however, there is clear evidence that a member of staff has made malicious or vexatious allegations, disciplinary action may be taken against that individual in accordance with the School's disciplinary procedures.

### Unfounded Allegations

Following investigation, if an allegation is confirmed as unfounded this should be notified to the member of staff who raised the concern, who will be informed that the School deems the matter to be concluded and that it should not be raised again unless new evidence becomes available.

### **Records**

The School is required to maintain records of whistleblowing cases, and the outcomes, including actions taken to resolve the issues raised. This is for recruitment purposes.

## **Whistle Blowing Policy –Guidance for Employees**

This guidance is written for staff working with children and should be read in conjunction with The Bellbird Primary School's Whistle Blowing Policy.

Staff must acknowledge their individual responsibilities to bring matters of concern to the attention of senior management. Although this can be difficult, this is particularly important where the welfare of children may be at risk.

You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young persons who are targeted. These children need someone like you to safeguard their welfare.

*Don't think what if I'm wrong - think what if I'm right*

### **Reasons for whistle blowing**

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour
- To prevent the problem worsening or widening
- To protect or reduce risks to others
- To prevent becoming implicated yourself

### **What stops people from whistle blowing**

- Starting a chain of events which spirals
- Disrupting the work or project
- Fear of getting it wrong
- Fear of repercussions or damaging careers
- Fear of not being believed

### **How to raise a concern**

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner it is possible for action to be taken
- Try to pinpoint what practice is concerning you and why
- Approach someone you trust and who you will believe will respond
- Make sure you get a satisfactory response - don't let matters rest
- Ideally you should put your concerns in writing.
- A member of staff is not expected to prove the truth of an allegation but you will need to demonstrate sufficient grounds for the concern.

### **What happens next?**

- You should be given information on the nature and progress of any enquiries
- Your employer has a responsibility to protect you from harassment or victimisation
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith

- Malicious allegations may be considered as a disciplinary offence

### **Self reporting**

There may be occasions where a member of staff has a personal difficulty, maybe a physical or mental health problem which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager so professional and personal support can be offered to the member of staff concerned.

Confidentiality cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

### **Further advice and support**

Full details of the Cambridgeshire County Council's Whistle Blowing policy and procedures can be obtained from the Human Resources Department of the County Council.

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your line manager, your human resources provider and/or your professional or trade union.