**Scargill Church of England Primary School**

# Whistleblowing Policy

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## *Statement of intent*

Scargill Church of England Primary School is committed to open and honest communication and the highest possible standards in integrity, and will treat whistleblowing as a serious matter.
In line with Scargill Chrch of England Primary School's commitment to openness, probity and accountability, members of staff are encouraged to report concerns which will be taken seriously, investigated, and appropriate action taken in response. Such action is termed "blowing the whistle"; this phrase is used throughout this policy, and should be viewed as a positive action of speaking up.
This policy seeks to ensure that any person suspecting malpractice knows how to raise concerns and what procedures are in place to deal with the concern

Signed by:

| | | | |
|---|---|---|---|
| | Head of School | Date: | |
| | Chair of governors | Date: | |

# 1. Introduction

1.1. Statutory protection for employees who whistleblow is provided by The Public Interest Disclosure Act 1998 (PIDA), which protects employees who speak out about concerns about conduct or practice within the school, which is potentially illegal, corrupt, improper, unsafe, unethical or amounts to malpractice.

1.2. This policy has been written in accordance with the Whistleblowing for Employees guidance document.

1.3. Serious malpractice may involve governors, managers, colleagues/clients or suppliers of goods and services to the organisation, therefore, Scargill Church of England Primary School has introduced this policy to enable staff to raise concerns, which are in the public interest, through internal trust procedures.

1.4. This policy applies to all school staff, including full and part time, casual, temporary, substitute staff, and to individuals undertaking work experience within the school.

1.5. Disclosures made under this procedure will be monitored for statistical purposes as required under the PIDA. Details of any disclosure remain confidential.

1.6. Name of Head of School is the first point of contact for whistleblowing queries. In the event that the allegation is related to the Head of School, then issues will be raised with name of chair of governors.

# 2. Legislative framework

2.1. This policy has due regard to legislation and statutory guidance, including, but not limited to, the following:

- The Public Interest Disclosure Act 1998
- The Public Concern at Work Guidelines

# 3. Scope

3.1. This policy will:

- Give confidence to members of staff about raising concerns about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice or is inconsistent with school standards and policies.
- Provide members and staff with avenues to raise concerns.
- Ensure that members of staff receive a response to the concerns they have raised and feedback on any action taken.
- Offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken in good faith and within the meaning of the PIDA.

3.2. This policy will not be confused with the procedure on dealing with harassment at work or Scargill Church of England Primary School's Grievance and Disciplinary procedures.

3.3. This policy will complement the aforementioned procedures by covering concerns that fall outside their scope, such as issues relating to:

- Unlawful conduct, including financial or fraudulent malpractice such as embezzlement, bribery, corruption, dishonesty, etc.
- Establishment standards of practice.
- Improper conduct or a miscarriage of justice.
- Risks or damages to the environment.

3.4. Scargill Church of England Primary School will not tolerate harassment or victimisation of members of staff when matters are raised in accordance with the PIDA. Any member of staff who victimises or harasses another member of staff, as a result of their having raised a concern in accordance with the whistleblowing policy, will be dealt with under the school's staff disciplinary procedures.

3.5. If a member of staff makes an allegation in good faith but it is not confirmed by further inquiry, the matter will be closed and no further action will be taken; however, if the inquiry shows that untrue allegations were malicious or made for personal gain, then Scargill Church of England Primary School will consider taking disciplinary action.

## 4. What is a whistle blower?

4.1. A whistleblower is an individual who discloses confidential information regarding an employee, which relates to some danger, fraud or other illegal or unethical conduct which is connected with the workplace.

4.2. Under this policy, any of the following can raise a concern:

- Employees of the school.
- Employees of contractors working for the school for example, agency staff, builders and drivers.
- Employees of suppliers.
- Voluntary workers working with the school.
- A trainee, such as a student teacher.

## 5. Harassment or victimisation

5.1. Scargill Church of England Primary School recognises that the decision to report a concern can be a difficult one to take, not least because of the fear of reprisal from those responsible for the malpractice or from the school as a whole; however, the school will not tolerate any such harassment or victimisation and will take appropriate action in order to protect staff who raise a concern in good faith.

5.2. Staff are protected in law by PIDA, which gives employees protection from detriment and dismissal where they have made a protected disclosure, providing the legal requirements of the Act are satisfied.

5.3. Any member of staff who victimises or harasses a member of staff as a result of their having raised a concern in accordance with this policy will be dealt with under Scargill Church of England Primary School's staff disciplinary procedures.

## 6. Procedure

6.1. Concerns will be expressed in writing to the Head of Schooll, and will include: background and history of the concern, names, dates and places where possible, and express the reasons for the concern. Individuals are encouraged to let themselves be known, either in person, or through their union representative, as concerns expressed anonymously are difficult to investigate.

6.2. Anyone feeling unsure can seek confidential advice at any time from Public Concern at Work, a registered charity which advises on serious malpractice in the workplace. For more information, visit their website or ring them on 020 7404 6609.

6.3. The whistleblower is not responsible for investigating the alleged illegal or dishonest activity, or for determining fault or corrective measures.

## 7. What happens next?

7.1. Once Scargill Church of England Primary School has been informed of the concern, it is then the responsibility of the school to investigate the matter further.

7.2. The Head of Schooll will write to the individual within 10 days of the initial meeting in order to confirm that the concern has been received, as well as indicate proposals for dealing with the matter.

7.3. The initial stage will be an interview with the whistleblower, and then an assessment of further action will be discussed.

7.4. If an investigation is carried out, the whistleblower will be informed of the final outcome.

7.5. If the investigating officer needs to talk to the whistleblower, they are permitted to be accompanied by a trade union representative, a professional association representative, a friend, or a fellow member of staff not involved in the area of work to which the concern relates. This person will provide support only, and will not be allowed to become involved in the proceedings.

7.6. If no action is to be taken, and/or the individual is not satisfied with the way the matter has been handled, they can make a complaint under Scargill Church of England Primary School's complaints procedure.

## 8. What the school asks of you

8.1. The purpose of this policy is to enable individuals to raise concerns in confidence, without any fear of reprisal; therefore, it is imperative that whistleblowers:

- Do not take the concern outside the school.
- Declare any personal interest in the matter, as the policy is designed to be used in the interest of the public and not for individual matters.

## 9. At the end of the process

9.1. A record will be made of the nature and outcome of the concern. The purpose of this is to ensure that a central record is kept, which can be cross-referenced with other

complaints, in order to monitor any patterns of concern across Scargill Church of England Primary School, and to assist in monitoring the procedure.

9.2. The whistleblower will be informed of the results of the investigation, and any action that is proposed will be subject to third party rights; where action is not taken, the individual will be given an explanation.

## 10. Appeal process

10.1. If the whistleblower disagrees with the decision made, they will request, in writing to the Head of Schooll, within two weeks of receiving the notification, a review of the decision stating the grounds for requesting the review.

## 11. If you're treated unfairly after whistleblowing

11.1. An individual can take a case to an employment tribunal if they have been treated unfairly as a result of whistleblowing.

11.2. Further information can be sought from the Citizen's Advice Bureau, the whistleblowing charity Public Concern at Work, or from an individual's trade union.

11.3. Any claims of unfair dismissal needs be made within three months of the investigation ending.

## 12. Monitoring and review

12.1. The governing body will review this policy every three years, ensuring that all procedures are up-to-date – the next review date for this policy is September 2019.

12.2. Any changes made to this policy will be communicated to all members of staff.