

Version	Spring 21
Owner	Skelton Primary School
Approved	Spring
Review Cycle	2 year
Next Review	Autumn '22



WHISTLEBLOWING POLICY 2021

Skelton Primary School offers a positive, safe learning environment for its community, in which everyone has equal and individual recognition and respect. We celebrate success and are committed to the continuous improvement and fulfilment of potential in every child.

We encourage increasing independence and self-discipline amongst the pupils. Everyone within the school has an important role to play in sharing responsibility for the development of positive behaviour and attitudes.

Headteacher: Sarah Walker
Chair of Governors: Helen Swarbrick



Whistleblowing

Section	Contents	Page
1.0	Introduction	1
2.0	Aims and Scope of the Policy	1-2
3.0	Employee Co-operation and Safeguards	2-3
4.0	How to raise a concern	3-4
5.0	How school will respond	4-5
6.0	How matters can be taken further	5-6
7.0	Independent Advice	6
8.0	Review of the Policy	6

1.0 INTRODUCTION

- 1.1 Skelton Primary School (S.P.S.) is committed to the provision of the highest quality services to its residents and is proud of its track record of probity and high ethical standards. However, it also recognises that irregularities, wrong-doing or serious failures in standards can sometimes occur.
- 1.2 The greatest deterrent to malpractice or wrongdoing is the probability that it will be reported and investigated, that those who are responsible for it will be punished and that the matter will be promptly remedied. This policy is therefore intended as a clear statement that any malpractice by staff reported to school will be swiftly and thoroughly investigated. S.P.S. will also look at ways to ensure that such malpractice or wrongdoing can be prevented for the future.

2.0 AIMS AND SCOPE OF THE POLICY

- 2.1 This policy provides all staff with:
- avenues to raise concerns and receive feedback on any actions taken;
 - reassurances that they will be protected from victimisation for whistleblowing.



Whistleblowing

2.2 Set out below is a list which is intended to illustrate the types of issues which may be legitimately raised under this Whistleblowing Policy:

- a) any offence, unlawful act, failure to comply with legal obligations or where a miscarriage of justice has occurred, is occurring or is likely to occur;
- b) maladministration, as defined by the Local Government Ombudsman;
- c) breach of staff Code of Practice;
- d) breach of, or failure to implement or comply with any S.P.S. policy or procedure rules;
- e) failure to comply with appropriate professional standards;
- f) corruption, theft or fraud;
- g) misuse or damage of school assets;
- h) risks to the health and safety of any individual or the abuse of any vulnerable person;
- i) failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income to school;
- j) unethical conduct, the abuse of power, or the use of school's powers and authority for any unauthorised or malicious purpose;
- k) unfair discrimination in employment or the provision of services;
- l) causing damage to the environment;
- m) the deliberate falsification or destruction of information or data;
- n) the deliberate concealment of information in relation to any of the items on this list.

2.3 This Whistleblowing Policy is primarily intended for people to raise concerns that are in the public interest and where the interests of others or of the organisation itself are at risk. It is intended to supplement, rather than to replace, the existing grievance procedures whereby employees of S.P.S. already raise complaints or matters of genuine concern relating to their own employment.

3.0 EMPLOYEE CO-OPERATION AND SAFEGUARDS

3.1 In many cases it is employees who are most likely to be in the best position to learn of any malpractice or wrongdoing within school and to identify something which falls below the standards which S.P.S. and the public are entitled to expect. S.P.S. expects the fullest co-operation of all employees in securing the highest standards of service to local residents. This means that, where a member of staff becomes aware of, or suspects, malpractice, school will expect them to report these suspicions. S.P.S. and school governors will treat any failure to report such matters as a serious matter which may, in the case of an employee, result in disciplinary action being taken.

3.2 This Policy has been discussed with the relevant trade unions and professional associations.

This policy will be kept under review in the light of legal developments and best practice

Next review: Autumn 2022

SLT responsibility: S.E.Walker



Whistleblowing

- 3.3 S.P.S. will respect (so far as it can legally) the confidentiality of any whistleblowing complaint received, where the complainant requests that confidentiality but cannot guarantee that the investigation process will not result in colleagues speculating on the identity of the whistleblower. It will be easier to follow up and to verify the facts of a case if the complainant is prepared to give his/her name. Unsupported anonymous complaints and allegations are much less powerful and therefore will have to be treated with caution. There will be circumstances where information must be disclosed for legal reasons, or to enable legal steps to be taken, e.g. there may be an obligation to disclose under the Freedom of Information Act provisions, or if the circumstances amount to a serious crime there may be circumstances where information will have to be passed to senior officers or to external agencies such as the police or external auditors.
- 3.4 Any reporting system will be of little effect if those who should use it are afraid that, as the result of making their report, they may experience recriminations, victimisation or harassment. S.P.S. will therefore not tolerate any attempt to take reprisals against any person who has reported a serious and genuine concern. S.P.S. will treat any such recriminations, victimisation or harassment as a serious matter which may, in the case of an employee, result in disciplinary action being taken. Individuals may also have statutory protection under the Public Interest Disclosure Act 1998, which aims to protect individuals who make certain disclosures of information in the public interest and who are then victimised in their employment.
- 3.5 S.P.S. will ensure that the necessary resources are applied to investigating any complaints received. As a consequence of this it will view seriously any knowingly false or malicious allegations which it receives, and will regard the making of any deliberately malicious or vexatious allegations by any employee as a serious disciplinary offence.
- 3.6 The Whistleblowing Policy will be publicised to all staff and contractors via appropriate communication channels.

4.0 HOW TO RAISE A CONCERN

- 4.1 Employees are expected to initially report any concerns to the Headteacher. They should not discuss the matter with any other employees. If an employee feels unable to speak directly to the Headteacher, they should contact their trade union representative or professional association may submit the instance of whistleblowing for them. It will be Headteacher's responsibility to initially investigate all matters reported to them promptly in accordance with the procedure notes issued. If employees feel unable to report concerns in this manner then they should contact the Chair of Governors.

5.0 HOW S.P.S. WILL RESPOND

- 5.1 In order to protect both individuals and school, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific policies or procedures (for example child protection or discrimination issues) will normally be referred to the appropriate department for separate consideration under those procedures.



Whistleblowing

- 5.2 Some concerns may be resolved by agreed action without the need for detailed investigation.
- 5.3 Within 10 working days of a concern being received, the Headteacher or Chair of Governors who is designated to carry out the whistleblowing investigation will write to the whistleblower:
- acknowledging that the concern has been received;
 - indicating how s/he proposes to deal with the matter;
 - giving an estimate of how long it will take to provide a final response;
 - stating whether any initial enquiries have been made; and
 - stating whether further investigations will take place, and if not, why not.
- 5.4 The amount of contact between the officers considering the issues and the whistleblower, will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information may be sought from the whistleblower.
- 5.5 When any meeting is arranged, the whistleblower has the right, if they so wish, to be accompanied by a Union or professional association representative or a friend who is not involved in the area of work to which the concern relates.
- 5.6 S.P.S. will, as far as it is able, take steps to minimise any difficulties which the whistleblower may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, S.P.S. will, where appropriate and as far as it is able to do so, provide advice about the procedure.
- 5.7 S.P.S. accepts the whistleblower needs to be assured that the matter has been properly addressed. Thus, subject to any legal constraints, information about the outcomes of any investigations will be provided.

6.0 HOW MATTERS CAN BE TAKEN FURTHER

- 6.1 This Policy is intended to provide staff with an appropriate avenue to raise concerns within school. If employees have reported a concern in accordance with the Whistleblowing Policy but are not satisfied that the issues have been properly addressed then they may contact:
- Chair or Governors
 - The NSPCC (for concerns about children at risk of abuse)¹;

7.0 INDEPENDENT ADVICE

¹ The NSPCC offers a dedicated national whistleblowing hotline (see www.nspcc.org.uk for further details)



Whistleblowing

7.1 Free, confidential advice on how to raise a concern about malpractice at work can be sought from the independent charity Public Concern at Work on 020 7404 6609.

8.0 REVIEW OF THE POLICY

8.1 The Policy will be subject to review as and when required.

Whistleblowing

