



# Whistle Blowing Policy

Reviewed- 2022

Signed- Head teacher- D.Hughes  
Chair of governors- A. Clarke

## Whistle Blowing

We believe this policy relates to the following legislation:

- Employment Rights Act 1996
- Public Interest Disclosure Act 1998
- Public Interest Disclosure (Compensation) Order 1999
- Public Interest Disclosure (Prescribed Persons) Order 1999
- Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2003
- Enterprise and Regulatory Reform Act 2013

We believe whistle blowing is the reporting of suspected wrongdoing in the workplace which is regarded as making a disclosure in the public interest. We actively encourage all school personnel and visitors to school to report any serious concerns they may have about any aspect of the school such as:

- health and safety concerns
- damage to the school environment
- a criminal offence that has taken place or is about to take place
- disobeying the law
- the covering up of a wrong doing
- the conduct of its personnel or others acting on behalf of the school.

We believe school personnel, supply staff, and students on work experience are protected by law if they make a disclosure on any of the above, that is if they think what they are reporting is true, that they think they are telling the right person and if they believe their disclosure is in the public interest.

We understand that those wishing to make a disclosure may do so to the Headteacher, to a member of the local authority, to a prescribed person such as Her Majesty's Chief Inspector of Education, to a legal adviser or to a Member of Parliament.

We believe that where the concern relates to an individual's own employment the school's Grievance Policy must be used. However, if the concern relates to something which is against the school's policies, falls below standards of practice or amounts to improper conduct then the procedures in this policy must be used.

We are committed to the highest possible standards of openness, integrity and accountability.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

## Aims

- To encourage all school personnel to report any serious concerns about any aspect of the school or the conduct of its personnel or others acting on behalf of the school.
- To work with other schools and the Local Authority to share good practice in order to improve this policy.

### **Responsibility for the Policy and Procedure**

When a concern has been raised the following procedure will be followed:

### **Role of the Governing Body**

The Governing Body:

- has delegated powers and responsibilities to the Headteacher to ensure all school personnel and school volunteers are aware of and comply with this policy;
- will provide support for a member of staff who has raised a concern;
- will provide support for a member of staff against whom allegations have been made;
- must keep both parties informed of all progress during any investigation;
- will take no action against a member of staff if, after investigation, their concern has not been confirmed;
- will take disciplinary action if a concern is raised frivolously, maliciously or for personal gain;
- has responsibility for ensuring that the school complies with all equalities legislation;
- has nominated a designated governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- has responsibility for ensuring funding is in place to support this policy;
- has responsibility for ensuring this policy and all policies are maintained and updated regularly;
- has responsibility for ensuring all policies are made available to parents;
- has responsibility for the effective implementation, monitoring and evaluation of this policy

### **Role of the Headteacher**

The Headteacher will:

- ensure all school personnel and volunteers are aware of and comply with this policy;
- encourage all school personnel to raise any concerns they have regarding actual or potential breaches of duty or a failure by the school;
- provide support for a member of staff who has raised a concern;
- provide support for a member of staff against whom allegations have been made;
- keep both parties informed of all progress during any investigation;
- work closely with the link governor;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;
- annually report to the Governing Body on the success and development of this policy.

## **Role of the Nominated Governor - Chair**

The Nominated Governor will:

- work closely with the Headteacher and the coordinator;
- ensure this policy and other linked policies are up to date;
- ensure that everyone connected with the school is aware of this policy;
- annually report to the Governing Body on the success and development of this policy

## **Role of School Personnel**

School personnel have a duty to speak out against and report any:

- criminal offence that has been committed, is being committed or is about to be committed;
- person who has failed, is failing or is about to fail compliance with any legal obligation that they are subject to;
- miscarriage of justice that has occurred, is occurring or is likely to occur;
- health and safety issue that has endangered , is endangering or is likely to endanger any person;
- damage to the school environment that has been committed, is being committed or is about to be committed

School personnel, who speak out against and report any of the above, will receive support from the Governing Body. The Governing Body will give support to any member of the school personnel against whom allegations have been made.

School personnel have a duty to the school not to disclose confidential information. However, in accordance with the provisions of the Public Interest Disclosure Act 1998 this does not prevent an employee from seeking independent advice nor discussing their concern with the charity Public Concern at Work.

## **Raising a Concern**

All raised concerns are investigated and every effort is made to ensure confidentiality for all parties.

### **Stage 1**

- All concerns should be made in person or in writing.
- The person raising the concern may wish to receive help from the local authority or from their trade union representative.
- At any future meeting the employee may be accompanied by a colleague or their trade union representative.

### **Stage 2**

- Within 10 working days the person with whom the concern has been registered acknowledges receipt in writing.
- The letter will state the following:
  - How the concern will be dealt with;
  - How long it will take to provide a final response;
  - Information on employee support services.

### Stage 3

- After initial enquiries have been conducted, a decision will be made if an investigation should take place.
- The investigation will be either:
  - an internal investigation;
  - a referral to the police;
  - a referral to the Council Auditor;
  - an external independent enquiry.

### Stage 4

- The employee will be informed in writing of the outcome of the investigation by the Governing Body.
- The employee has the right to take their concern to an independent body if they feel it has not been addressed adequately.

### Raising Awareness of this Policy

We will raise awareness of this policy via:

- the School Prospectus
- the school website
- the Staff Handbook

### Training

All school personnel:

- have equal chances of training, career development and promotion
- receive training on this policy on induction which specifically covers:
  - the school's whistle blowing procedures
  - Confidentiality
  - Safeguarding and Child Protection

- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction

### Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

### Monitoring the Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement. (See Policy Evaluation)

### Linked Policies

▪ Safeguarding & Child Protection	▪ Confidentiality
▪ Teaching Staff	▪ Support Staff

<b>Headteacher:</b>	D.Hughes	<b>Date:</b>	2022
<b>Chair of Governing Body:</b>	A Clarke	<b>Date:</b>	2022

