

# Lethbridge Primary School

Live Learn and Achieve at Lethbridge

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Academy Status



## WHISTLE BLOWING PROCEDURE FOR STAFF

September 2018

### DEFINITIONS

The term “employee” refers to any member of the staff, whether teaching or not (with the exception of the Headteacher), employed to work at Lethbridge Primary School.

The term “senior manager” refers to any member of the Leadership Team.

***Lethbridge Primary School is committed to safeguarding and promoting the welfare of children, and this policy forms an important part of that commitment. Safeguarding is the process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully.***

### 1. INTRODUCTION

#### 1.1 Lethbridge Primary School :-

- Is committed to the highest possible standards of service, honesty and accountability.
- Believes that its employees can help it maintain these standards.

1.2 Lethbridge Primary School expects employees who have serious concerns about any aspect of the School’s work or practices to come forward and voice those concerns.

1.3 Whilst the school is subject to various external inspections and audits from various statutory and regulatory bodies, it recognises that wrong-doing, whilst rare, can occur.

1.4 It is the school’s view that its employees have an important part to play in reporting any such situations, since they can be the first to realise that some wrong doing is happening.

1.5 Lethbridge Primary School recognises that employees may sometimes be reluctant to express their concerns because they feel that this would be disloyal to managers, employees and others in the School. They may also fear harassment or victimisation. These factors could lead employees to ignore the problem rather than report it,



particularly if it is just a suspicion.

- 1.6 The procedure described in this document therefore seeks to:-
- Reinforce the School's expectations that employees should raise concerns.
  - Provide employees with internal procedures for raising concerns.
  - Provide employees with an entitlement to feedback on any concerns raised.
  - Reassure employees that they will be protected from victimisation or harassment if they raise any concerns.
  - Enable employees to take matters further if they are not satisfied with the School's response.
- 1.7 Lethbridge Primary School recognises that the application of this policy will involve taking the necessary action to investigate concerns and apply relevant sanctions, including any action necessary to support individual employees who have identified concerns. Where the concerns relate to Trustees or other persons outside of the School's employment, the appropriate School procedures will be applied.

## **2. AIMS OF THE WHISTLE BLOWING POLICY**

- 2.1 The Whistle Blowing Policy is intended to cover situations where employees become concerned about wrong doing at work by other employees, Governors, Trustees, suppliers, contractors or others acting on behalf of Lethbridge Primary School. The concerns could be about acts or omissions, which have led, or could lead to future wrong doing within the Academy or in other School activities. These include:-
- Conduct which is against the law, a miscarriage of justice, or fails to meet a legal obligation.
  - Financial irregularities including fraud, corruption or unauthorised use of public funds.
  - Failure to observe health and safety regulations, or action which involves risks to the public or other employees.
  - Action causing major harm to the environment.
  - Employees claiming benefits to which they are not entitled.
  - Sexual, racial, physical, or other abuse of pupils or colleagues.
  - Other cases of malpractice, negligent, unprofessional or unethical behaviour.
  - Concealment of any of the above.
- 2.2 Lethbridge Primary School believes that the procedures described in this document will provide employees with the means to raise issues internally but is also recognises that there may be exceptional occasions where external disclosure is appropriate.
- 2.3 The Whistle Blowing Policy should not be used for employees to raise issues or make complaints about their own employment. These should be dealt with through the Grievance or other appropriate personnel procedures.

### **3. SAFEGUARDS FOR EMPLOYEES**

- 3.1 Lethbridge Primary School recognises that employees may sometimes be reluctant to raise concerns, and therefore stresses the following safeguards:

#### **Protecting the Whistle Blower**

- 3.2 The Academy Trust will protect employees who raise a concern from harassment / victimisation (including informal pressures). It will investigate any claims of harassment / victimisation and depending on the outcome, may take disciplinary action.
- 3.3 Employees should only make allegations in good faith and where there is a reasonable suspicion that wrong-doing has occurred, is occurring or will occur. If it is established that an employee has made allegations maliciously or for personal advantage disciplinary action may be taken against that employee.

#### **Confidentiality**

- 3.4 All reported wrong doings will be treated in confidence, with every effort made by the Academy Trust not to reveal an employee's identity if they so wish. At the appropriate time, however, an employee may need to come forward as a witness.
- 3.5 Employees raising concerns under this policy, and any person to whom allegations are disclosed, must ensure that they maintain the necessary confidentiality towards service users, i.e. pupils, parents and the wider School community.

#### **Anonymous Allegations**

- 3.6 This policy encourages employees to put their name to the allegation whenever possible. All allegations will be investigated, although employees need to be aware that anonymous allegations are much less powerful and are more difficult to act upon. In considering an anonymous allegation, the following factors will be taken into account:
- The seriousness of the matter raised.
  - The credibility of the allegation made.
  - The likelihood of obtaining information from other sources which can confirm the allegation.

### **4. WHO TO CONTACT TO RAISE A CONCERN**

- 4.1 Employees should, when raising an issue, make it clear that it is as part of the Whistle Blowing Policy. Details should also, where possible, be provided in writing.
- 4.2 In most situations an employee should raise concerns about wrong-doing with the Headteacher or an appropriate senior colleague.
- 4.3 If the response is unsatisfactory, or the employee believes that the Headteacher or senior colleague is involved in, or has condoned or taken no action on, the wrong doing, the employee should raise the issue with the Chair of Governors.

4.4 In some situations an employee may wish to take advice from and / or involve a colleague or RTPA / Trade Union representative. They may also be present during any subsequent meetings or interviews.

## **5. HOW THE ACADEMY TRUST WILL RESPOND**

5.1 Depending upon the nature of the alleged wrong-doing, the School will arrange for the matter to be:

- Investigated internally by School Management or Governor representatives.
- Referred to the Audit Commission or be investigated as part of an independent inquiry and / or
- Referred to the police, other external enforcement agency (e.g. Health and Safety Executive, the Environment Agency) or the appropriate Government Department.

5.2 Any cases raised under this procedure, which are notified to the School will be registered with the Responsible Officer, who will monitor the situation and ensure that the matter is progressed.

5.3 In some situations the problem may be resolved without the need for a major investigation. If urgent action is required, this will be taken immediately.

5.4 The employee raising the concern will be written to, within 10 working days of the concern being raised, by the person contacted by the employee. The letter will acknowledge receipt of the concern and indicate how it is proposed to deal with the matter.

5.5 The Academy Trust will ensure that employees raising concerns receive feedback within 30 working days on the action taken. Subject to any legal constraints, the employee will be informed of the outcome, or the reason for delay in any investigation.

5.6 The Academy Trust will provide support to the employee raising the concern in any subsequent developments. For instance, if they are required to give evidence in criminal or disciplinary proceedings arrangements will be made to provide advice about procedures.

5.7 If the employee subsequently feels victimised or harassed, as a result of raising a concern in accordance with this policy, they should advise the person they originally contacted or anyone from the list in paragraph 4.4.

5.8 If the employee is dissatisfied with the outcome of the internal procedure followed they may notify the Chair of Governors.

## **6. WHAT SHOULD EMPLOYEES DO IF THEY ARE NOT SATISFIED WITH THE SCHOOL'S RESPONSE**

6.1 Lethbridge Primary School considers that the Whistle Blowing Policy provides effective mechanisms for employees to raise concerns internally. It establishes a range of contact persons in the school. A Responsible Officer will be identified to oversee the application of the procedure in cases which are referred beyond the School and where Lethbridge Primary School has relevant powers to act (see 7.1).

- 6.2 The Public Interest Disclosure Act 1998 provides some employment protection rights to individuals who “blow the whistle” outside their organisation. However, the types of information, and the situations in which concerns are disclosed externally, are tightly defined in the legislation. The Act only protects those making disclosures which are considered to be in the public interest and therefore not all issues listed in paragraph 2.1 would be covered. Employees need to be careful and take advice before making an external disclosure and they should normally have used the internal procedure first.
- 6.3 The Academy Trust must, however, reserve the right to take disciplinary action against an employee where an external disclosure is made which is damaging to the School and is not protected under the terms of the Act.
- 6.4 If the employee is dissatisfied with The School's response through its internal procedures, they can consider contacting an external organisation. However, Lethbridge Primary School would not expect employees to make disclosures to the press. If the employee feels it is necessary to raise the issue externally, they should contact the appropriate external organisation:-

**Environment Agency** (PO Box 544, Rotherham,S60 1BY Tel No: 08708 506506).

**Audit Commission** (Complaints and PIPA Manager , Westward House, Lime Kiln Close, Stoke Gifford,Bristol,BS34 8SR Tel No 0845 0522646).

**Health and Safety Executive** (The Pithay, Bristol,BS1 2ND Tel No: 0117 9886000 ).

**The Police** (South Gloucestershire Police District, Staple Hill Police Station, Broad Street, Staple Hill, South Gloucestershire).

**CSCI** (300 Aztec West, Almondsbury, South Gloucestershire, BS32 4RG Tel No :01454 454010).

**Ofsted** (Freshford House, Redcliffe Way, Bristol,BS1 6NL Tel No: 08456 404040).

## **7. Volunteers and Suppliers**

- 7.1 This policy should be available to volunteers and suppliers to the School. Should volunteer staff wish to raise a concern the procedures in this document should be followed, as for paid staff. Suppliers should raise any issue with the Headteacher.

## **REVIEWING AND MONITORING OF THE PROCEDURES**

These procedures will be reviewed annually.

Next review September 2019