NORTH LINCOLNSHIRE COUNCIL

REPORTING A CONCERN (WHISTLEBLOWING) POLICY FOR

BUSHFIELD ROAD INFANT SCHOOL

INTRODUCTION

The school/academy is committed to running the organisation with accountability and transparency.
Employees are often the first to realise there is something wrong within the school/academy, but may worry that by raising a concern they are being disloyal to their colleagues or the school/academy, or that they might not be taken seriously. They may also fear harassment or victimisation if they speak out.
This policy aims to enable employees to raise concerns about malpractice or wrongdoing and to reassure them that it is safe and acceptable to do so. It encourages them to raise concerns at an early stage and supports them with the process.
The school/academy will not tolerate the harassment or victimisation of anyone raising a genuine concern, and disciplinary action may be taken if this arises.

LEGAL FRAMEWORK

1.
If an employee brings information about a wrongdoing to their employer, or another relevant organisation, this is commonly referred to as ‘blowing the whistle’.
2.
The Public Interest Disclosure Act 1998 gives protection to whistle blowers, to enable people to speak out if they believe there is malpractice within an organisation. Blowing the whistle is more formally known as 'making a disclosure in the public interest'.
3.
The Act makes it unlawful to victimise, harass or treat someone unfairly because they have blown the whistle.

WHAT TO REPORT

1.

Disclosures which are protected under the Act are disclosures of information which are in the public interest: this usually means that they affect other people. A disclosure should be made in good faith, where you genuinely believe that one or more of the following is either happening, has happened, or is likely to happen in the future:

- A criminal offence e.g. fraud, abuse, unlawful discrimination;
- Financial misconduct
- the breach of a legal obligation;
- a danger to the health and safety of any individual;
- risk or damage to the environment;
- an attempt to cover up any of the above.

2.

Unless the concern you have is covered by another school/academy policy, this policy may also be used to report something that:

- Makes you feel uncomfortable compared to the standards you believe the school/academy subscribes to;
- is against the school/academy's values and ethos;
- falls below established standards of practice;
- amounts to improper conduct.

3.

If you have a concern relating to your own personal circumstances at work, you should refer to school/academy's Mutual Respect at Work or Grievance procedure as appropriate.

HOW TO REPORT A CONCERN

Safeguarding concerns

1. If you have a concern regarding the safety of child or young person, then you should make immediate contact with the schools/academy's Designated Safeguarding Lead.

All other concerns

1.

You may raise a concern either verbally, or in writing. If you are making a written report, you may find it helpful to use the following format:

- The background and history of the issue (giving any relevant dates where possible);
- the reason why you are particularly concerned about the situation;
- any details that show there are reasonable grounds for your concern.

Stage one

1. You should initially raise the issue with your immediate manager. Your manager should be responsive to your concerns and take them seriously. They will encourage you to talk openly and will treat the issue in confidence, unless legally they must do otherwise (e.g. if a crime has been committed). Your manager will inform you if they are obliged to report the issue to a third party. Managers can seek support in dealing with concerns raised through the contacts outlined from paragraph 24 onwards.

Stage two

1. If you feel unable to approach your manager, or if you feel that your concern has not been dealt with satisfactorily, you may prefer to speak to the Chair of Governors or HR.

HOW THE SCHOOL WILL RESPOND

1.
Within ten working days of a concern being raised, the matter will be assessed and the person to whom you reported it will write to you:

- Acknowledging that the concern has been received;
- indicating how the school/academy proposes to deal with the matter;
- telling you whether any initial enquiries have been made;
- giving an estimate of how long it will take to provide a final response and;
- supplying you with information on the support available to you.

Note: If you report a concern anonymously, while the school/academy will still respond to this appropriately, direct feedback on the progress of the case cannot be given. See paragraph 22 for more information.

2.
If the concern you have raised falls under a different policy or procedure you will be informed at this stage.

3.
The action to be taken will depend on the concerns raised, but may include an informal review or a more formal investigation.

4.
As part of any investigation, you may be invited to attend a meeting to discuss your concern in more detail. If so, you may wish to be supported by a trade union representative or fellow worker.

5.
Wherever possible, you will be given feedback on the outcome of any investigation, but precise details on action taken may not be disclosed where there is a duty of confidentiality to another person. Any feedback will be within the provisions of the General Data Protection Regulation 2018.

6.
If you are not satisfied with the school/academy's response, you are entitled to take your concern to an appropriate external organisation. The details of some relevant contacts are given from paragraph 27 onwards.

UNTRUE ALLEGATIONS

1. No action will be taken against you if you have raised a concern in good faith. However, allegations which are found to be malicious or vexatious may result in disciplinary action being taken.

ANONYMITY AND CONFIDENTIALITY

1.
The school/academy would like you to put your name to any concerns you report. Your concerns will be treated confidentially when requested and every effort will be made to conduct any investigation so as not to disclose your identity, if you so wish. Being a witness is not always easy, but your participation will be valued and you will be fully supported throughout the process.

2.
Anonymous concerns will be evaluated and will be investigated where possible, but they may be more difficult to substantiate where the school/academy is limited in its ability to follow up on the reported information. A decision will be made on the most appropriate way to deal with anonymous concerns based on:

- The seriousness of the issues raised;
- the credibility of the concern;
- the likelihood of verifying the concerns through other sources.

SUPPORT

1.
If you require advice or support during any stage of this process, you can contact your trade union representative.

2.
Support is also available through the council's Confidential Staff Welfare and Counselling Service.

3.
'Protect' the independent whistleblowing charity, offers free, confidential, practical and legal advice. If you are unsure whether it is appropriate to use this policy or want advice at any stage, you can contact them by telephone on 020 3117 2520, or via the online 'contact us' form available at www.protect-advice.org.uk.

EXTERNAL CONTACTS

1.
The school/academy hopes this policy will give you the necessary confidence and assurance to raise any concerns internally. However we recognise that there may be certain circumstances in which you do not feel this is possible; we would rather you raise a concern with the appropriate regulatory body than not at all. Details of relevant external organisations can be found at:

https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2

2.

Other external organisations which may be able to offer assistance with you raising a concern are as follows:

- A professional association. If you are a member of a professional association you may ask them to raise a matter on your behalf;
- the police - suspicions of fraud or corruption may be reported directly to the police;
- the National Audit Office;
- a Citizens Advice Bureau.