



# **Newbridge Primary School**

# **Whistleblowing Policy**

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## What is Whistleblowing?

Someone 'blows the whistle' when they tell someone in authority about a dangerous, illegal or unethical activity that they are aware of through their work. This can include health and safety risks, environmental issues, fraud, poor standards of care and other problems.

## Why does the school need a Whistleblowing Policy?

Under the requirements of the Public Interest Disclosure Act 1998, it will:

1. encourage employees and others who have serious concerns about any aspect of the school's work to voice them;
2. recognise that certain cases have to proceed on a confidential basis;
3. enable participation without fear of reprisals;
4. enable employees and others to raise serious concerns within the school or Local Authority rather than overlook a problem.

## Who does the Whistleblowing Policy apply to?

- All employees, whether full or part time, permanent or temporary.
- School Governors.
- All contractors and agencies

## What is covered by the Whistleblowing Policy?

The Policy:

- provides avenues for the raising of concerns;
- provides procedures for how action taken will be reported back to the whistleblower;
- allows for the matter to be taken further if there is dissatisfaction with the school's decision;
- underpins the Anti-Fraud and Corruption Policy and will aim to reassure anyone whistleblowing that they will be protected from reprisals or victimisation for acting in good faith.

The Policy does not replace:

- the school's complaints procedure
- the school's grievance procedure
- managerial responsibilities

## When should I raise a Concern?

If you find out about, or have suspicion of, any activity that could be detrimental to the School/Local Authority. These activities may include:

- conduct which is an offence or a breach of law
- disclosures relating to miscarriages of justice
- health & safety risks to public or employees
- damage to the environment
- unauthorised use of public funds
- possible fraud and corruption
- breaches of the school's policies, rules and regulations including Financial Regulations, Contract Standing Orders

- falling below established professional standards or practices
- improper or unethical conduct

(This list is not exhaustive).

## **What if I don't want to reveal my identity?**

- The school and/or the Local Authority will respect the confidentiality of anyone raising a concern and will do everything in its power to protect the identity of that individual whether they are an employee or an external source.
- However, as a result of the investigation process a statement may be requested to contribute to the evidence collected. In all such cases the provision of a statement will be discussed with you.

## **Can I raise my concern anonymously?**

Yes. However, the school/Local Authority would encourage you to put your name to an allegation. Formal statements do help to build a case and add credibility to allegations. The key factors to be taken into account when investigating allegations are:

- seriousness of the issues raised
- credibility of the concern and likelihood of confirming the allegation.

## **Will I be protected from possible harassment or victimisation?**

The school/Local Authority recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for malpractice. The school/Local Authority will not tolerate harassment or victimisation and will take action to protect anyone raising a concern in good faith.

If an employee is the subject of disciplinary or redundancy procedures when they raise their concerns, then those procedures will not automatically be affected. The information provided would be assessed in the light of the new circumstances and a decision taken as to how, if at all, those proceedings should be affected.

## **Will I be subject to any sanctions if the allegation is not proven?**

When an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the person voicing the concern.

If, however, an employee makes a malicious or vexatious allegation, this will be discussed with a senior personnel manager for the Local Authority and disciplinary action may be taken.

## **How do I go about raising a concern?**

- Employees should initially raise concerns with their Headteacher or the Chair of Governors. However, this does depend on the seriousness and sensitivity of the issues involved and who is thought to be involved in the matter that concerns them.
- Governors should raise concerns with the Director of Children's Services.
- If the matter is more serious or it is not appropriate to raise with the Headteacher or Chair of Governors then any of the following should be contacted :-

1. Senior Management i.e. Strategic Director or Assistant Director
2. Chief Executive
3. Head of Audit, Risk & Information
4. Head of Human Resources
5. Solicitor to the Council
6. Leader of the Council.

- Where there are local specific procedures relating to the raising of concerns (e.g. Adult and Children's Services) then these procedures will apply.
- Outside agencies and partners should raise concerns with the Headteacher. Where this is not appropriate, they should contact the Solicitor to the Council or the Chief Executive.

## **Who will be told about my concern?**

There are also certain officers with delegated responsibilities who will need to be contacted on certain matters. However, they will not be advised of your identity without your approval. They are:

- Solicitor to the Council

In respect of actual/potential unlawful conduct, maladministration, breach of the Bath & North East Somerset Local Code of Conduct for Members or breach of law:

- Head of Audit, Risk & Information,

In respect of any actual/potential irregularity affecting Council resources.

- Head of Human Resources,

In respect of any matters relating to human resource or personnel issues.

## **How should I raise my concern?**

Concerns are better raised in writing and should incorporate relevant information about specific incidents. The background and history of the concern including names, dates and places where possible and the reason why you are particularly concerned about certain situations should also be provided. If you are unable to express your concerns in writing, then you should contact the appropriate officer by telephone or arrange to meet them.

## **Do I have to provide proof of the allegation?**

Although you are not expected to provide evidence of an allegation, you will need to demonstrate to the appropriate officer contacted that there are sufficient grounds for raising the concern.

## **How will the School/Local Authority respond to my concern?**

The action taken by the Council/Local Authority will depend on the nature of the concern. The matters raised may be:

1. Resolved without the need for investigation
2. Investigated internally
3. Referred to the police
4. Referred to the External Auditor or

5. Form the subject of an independent inquiry.

In order to protect individuals and the school/Local Authority 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 under the scope of specific procedures (e.g. Adult & Health Services), will be referred for consideration under those procedures.

As soon as possible after a concern has been raised (normally within 10 working days) the school will write to the individual concerned to acknowledge the issue that has been raised and to indicate the future course of any action.

### **Will I be involved with the investigation?**

The amount of contact between the individual raising the concern and the officers considering the issue will depend on the nature of the matters raised. The individual may be approached to provide further information.

If a meeting is arranged then the individual concerned has the right to be accompanied by an appropriate person; this could be a Trade Union representative, a fellow Member or some other person of their choice.

### **Will I be informed of the outcome of the investigation?**

The person raising a concern will need to be assured that the issue has been appropriately addressed. Therefore, the school/Local Authority, subject to legal constraints, will inform them in writing about the outcomes of any investigations.

### **How can I take a concern further?**

This Policy is intended as an avenue for individuals to raise concerns within the school/Local Authority. The objective will be to investigate reported concerns to the satisfaction of all parties. However, if you are not satisfied you may take your concerns outside of the Council/Local Authority and these are possible contact points:

- Local Council Members;
- Your Member of Parliament;
- The External Auditor;
- Relevant professional bodies or regulatory organisations;
- A solicitor;
- The police.