

# St. Giles Junior School



## Whistleblowing Policy

Adopted by the Governing Board:

Signed:

  
\_\_\_\_\_  
Chair of Governors

  
\_\_\_\_\_  
Head Teacher

Date of this policy: November 2019

Date of Next Review: November 2020

## **What is whistleblowing?**

Whistleblowing is the term used when a worker passes on information concerning wrongdoing. In this guidance, we call that “making a disclosure” or “blowing the whistle”. The wrongdoing will typically (although not necessarily) be something they have witnessed at work. To be covered by whistleblowing law, a worker who makes a disclosure must reasonably believe two things. The first is that they are acting in the public interest. This means in particular that personal grievances and complaints are not usually covered by whistleblowing law. The second thing that a worker must reasonably believe is that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:

- criminal offences (this may include, for example, types of financial impropriety such as fraud)
- failure to comply with an obligation set out in law
- miscarriages of justice
- endangering of someone’s health and safety
- damage to the environment
- Breach of the Child protection and Safeguarding Policy

Covering up wrongdoing in the above categories Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for a worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have ‘blown the whistle’. In relation to schools and their duty of care in relation to safeguarding, Working Together to Safeguard Children (2015,) applies when undertaking whistleblowing procedures

## **What are the Employer’s Responsibilities?**

Staff are often the first people to witness any type of wrongdoing within an organisation. The information that workers may uncover could prevent wrongdoing, which may damage an organisation’s reputation and/or performance, and could even save people from harm or death. There are two main barriers whistleblowers face: fear of reprisal as a result of making a disclosure and that no action will be taken if they do make the decision to ‘blow the whistle’.

Being able to respond: It is in the organisation’s best interests to deal with a whistleblowing disclosure when it is first raised by a member of staff. This allows the organisation to investigate promptly, ask further questions of a worker and where applicable provide feedback.

There are benefits of making a disclosure which include:

Resolving the wrongdoing quickly;

Changing practice that is beneficial for all stakeholders;

Ensuring an open culture where staff feel safe and listened to;

Training, advice or support mechanisms being put into place;

## Stopping potential harm or upset to stakeholders

Here at St. Giles we endeavour and have a commitment to treat all disclosures consistently and fairly. We will also make a commitment to take all reasonable steps to maintain the confidentiality of the whistleblower where it is requested (unless required by law to break that confidentiality).

Once a disclosure has been received by the relevant member of management they will endeavour to give the whistleblower a time-frame in which they can expect to receive some feedback whether this be an up-date of the process; resolutions that have been made or which outside agencies have been contacted or are involved. This will be case specific and the whistleblower has every right to formally meet and ask what has happened if they feel this necessary. However this may not apply if the whistleblower was anonymous as ordinarily they will not be able to receive feedback and that any action taken to look into a disclosure could be limited – anonymous whistleblowers may seek feedback through a telephone appointment or by using an anonymised email address if they wish to.

The whistleblower does not need to provide evidence for the employer to look into the concerns raised.

Victimisation of a whistleblower is not acceptable. Any instances of victimisation will be taken seriously and managed appropriately with consultation of other professional bodies.

Whistleblowers can seek guidance from the following organisations: the Government, Acas, Public Concern at Work or education based unions.

## **The Whistleblowing Procedure:**

### For any disclosures which relates to:

- criminal offences (this may include, for example, types of financial impropriety such as fraud)
- failure to comply with an obligation set out in law
- miscarriages of justice
- endangering of someone's health and safety
- damage to the environment

Please see the Head Teacher or Schools Business Manager to make them aware of your concern. They will then talk to you about your concerns, if needed take notes and give an expected time frame whereby they might feedback the steps they have taken so far. As each case will be different

the time scale may vary depending on which organisations or professionals they need to contact, if an investigation needs to take place in order to obtain the facts and necessary evidence.

## For any disclosure relating to:

Child Protection or safeguarding

Please see the HeadTeacher

Staff are expected to report all concerns about poor practice or possible child abuse by colleagues - including what may seem minor contraventions of the school's staff behaviour policy (code of conduct) – to the headteacher; to facilitate proactive and early intervention in order to maintain appropriate boundaries and a safe culture that protect children and reduce the risk of serious abuse in school.

The recommended format for all staff in schools to record any such poor practice or possible child abuse by colleagues or other adults who work with children is the pro forma *'Logging A Concern about the behaviour of an adult who works with children'*, also known as the *'Yellow form'*.

**All such forms should be passed directly to the headteacher. Alternatively, staff are free to approach the headteacher directly to discuss their concerns.**

**Concerns or complaints about the headteacher should be reported to the chair of governors, whose contact details are displayed in the staff room for any member of staff to use in such an instance.** *The 'Yellow form' should also be used for that purpose as above.*

**Staff may also report concerns about suspected abuse or neglect directly to Children's Social Care or the Police if they believe direct reporting is necessary to secure action.**

**Staff can also contact the Designated Officer in the Local Authority**, who is responsible for the co-ordination of responses to allegations against people who work with children. The Designated Officer's contact details are displayed on the safeguarding noticeboard in the staff room. The email address is: [lado@warwickshire.gov.uk](mailto:lado@warwickshire.gov.uk)

The NSPCC whistleblowing helpline is also available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 between 8.00a.m. and 8.00p.m., Monday to Friday or e mail [help@nspcc.org.uk](mailto:help@nspcc.org.uk). Information is also available on the NSPCC website at <https://www.nspcc.org.uk/what-you-can-do/report-abuse/dedicated-helplines/whistleblowing-advice-line/>.

The NSPCC whistleblowing helpline and contact numbers for Children's Social Care, the Police and the Designated Officer are all displayed in the staff room.