

## Rivacre Valley Primary School



### Whistleblowing Policy

#### Contents

1. About this policy
2. What is whistleblowing?
3. Raising a whistleblowing concern
4. Confidentiality
5. Investigation and outcome
6. If you are not satisfied
7. External disclosures
8. Protection and support for whistleblowers
9. Key Contacts and additional information
10. Personnel responsible for the policy

#### 1. About this policy

Rivacre Valley Primary School is committed to conducting its business with honesty and integrity, and it is expected that all Employees and Governors will maintain high standards in accordance with their own Code of Conduct. However, all Schools face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential within school in order to prevent such situations occurring and to be able to address them effectively when they do occur.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected as far as possible.
- To provide staff with guidance as to how to raise those concerns.
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy applies to all Employees, Governors, Consultants, Contractors, Volunteers, Casual/Supply and Agency workers.

This policy does not form part of any employee's contract of employment, and it may be amended at any time.

All contact details for individuals/ organisations named in this policy are available at the end of this document.

## **2. What is whistleblowing?**

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity
- failure to comply with any legal, professional obligation and/ or regulatory requirements.
- miscarriages of justice
- danger to health and safety
- damage to the environment,
- a breach of the Anti-Fraud & Corruption and/or Anti-Bribery Policies
- fraud and / or mismanagement / unauthorised use of public funds
- negligence including abuse of Customers (external) including sexual, physical and/or financial.
- breach of the school's internal policies and procedures, including our Code of Conduct
- conduct likely to damage the school's reputation.
- unauthorised disclosure of confidential / sensitive information
- the deliberate concealment of any of the above matters.

A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the school's activities (a whistleblowing concern), then you should report it under this policy.

This policy should not be used for complaints relating to an employee's personal circumstances, such as the treatment of individuals at work. In those cases, employees should use the School's Grievance Procedure and / or Dignity at Work Policy.

If you are uncertain whether something is within the scope of this policy, you should seek advice from the School's Whistleblowing Officer, whose contact details are at the end of this policy.

### **3. Raising a whistleblowing concern**

Rivacre Valley Primary School hopes that in the majority of cases staff will feel able to raise any concerns with their line manager; this may be in person or in writing if you prefer. It might be that there is an agreed way of resolving your concern quickly and effectively. In some cases, the matter may need to be referred to the Whistleblowing Officer.

However, where the matter is more serious, or it is felt that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- The Headteacher
- The Chair of Governors
- The Council's Whistleblowing Officer

The Council's Monitoring Officer (Head of Legal and Democratic Services)  
(Maintained schools only)

The person to whom you have raised your concern will contact you in writing within 10 working days detailing the following:

- acknowledge that the concern has been received;

- indicating how the school intends to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- detailing any initial enquiries that have been made; and
- informing you whether further investigations will take place (and if not, why not).

If appropriate a meeting will be arranged to discuss your concern and this will take place as soon as possible. You may bring a colleague or union representative to any meetings under this policy. Both you and any companion must respect the confidentiality of any disclosure and subsequent investigation.

A written summary of your concern may be taken, if so, a copy will be provided. An indication may be given as to how the matter will be dealt with.

If Governors have concerns about potential wrongdoing within school, then these concerns should be raised with the Council's Whistleblowing Officer.

#### **4. Confidentiality**

Rivacre Valley Primary School hopes that anyone who wishes to raise a whistleblowing concern feels able to do so openly under this policy. However, if there is a desire to raise concerns confidentially, every effort will be made to keep their identity secret.

If it is necessary for the appointed Investigating Officer to know the identity of the individual making the original disclosure, then this will be discussed with that individual.

Rivacre Valley Primary School strongly encourages any disclosure not to be made anonymously as this may make effective investigation more difficult or impossible if such information cannot be obtained. It is also more difficult to establish whether any allegations are credible.

Whistleblowers who are concerned about possible reprisals if their identity is revealed should discuss their concerns with the Head teacher (or one of the other contact points) so that measures can be then be taken, if possible, to preserve confidentiality.

If there is any doubt then advice can be sought internally from the Council's Whistleblowing Officer or externally from Organisations such as "Protect" (previously Public Concern at Work), the independent whistleblowing charity, who offer a confidential helpline.

## **5. Investigation and outcome**

Once a concern has been raised, an initial assessment will be carried out to determine the scope of any investigation and the individual making the disclosure will be informed of the outcome of the assessment. There may also be a need to attend additional meetings in order to provide further information.

In some cases, an investigator or team of investigators will be appointed including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to ensure that the risk of future wrongdoing is minimised.

The appointed investigator will aim to keep the whistleblower informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent specific details of the investigation and / or any disciplinary action being given. Any and all information about the investigation must be treated as confidential.

If it is concluded that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower may be subject to disciplinary action.

## **6. If you are not satisfied**

Whilst Rivacre Valley Primary School cannot always guarantee the outcome that an individual is seeking, all concern/s will be dealt with fairly and in an appropriate way. The appropriate use of this policy will help us to achieve this.

If you are not happy with the way in which any concern has been handled, you can raise it with one of the other key contacts.

## **7. External disclosures**

The aim of this policy is to provide an internal mechanism for reporting, investigating, and remedying any wrongdoing in the workplace. In most cases it should not be necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate to report concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. It is strongly recommended to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, “Protect” operates a confidential helpline and can be contacted for advice. They also have a list of prescribed regulators for reporting certain types of concern.

## **8. Protection and support for whistleblowers**

It is understandable that whistleblowers are sometimes worried about possible repercussions. The Rivacre Valley Primary School aims to encourage openness and will support anyone who raises genuine concerns under this policy, even if they turn out to be mistaken.

Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats, or other unfavourable treatment connected with raising a concern.

If any individual believes that they have suffered any such treatment, then this should be raised with the Head teacher or the Chair of Governors immediately. If the matter is not remedied, then employees can raise the matter formally using the School’s Grievance Procedure.

The School’s Grievance Procedure does not apply to any other category of persons listed within this Whistleblowing Policy i.e., Councillors, Consultants, Contractors, Volunteers, Casual and Agency workers. If you fall into one of these categories and believe that you have suffered a detriment for raising a Whistleblowing concern, then you can raise a further complaint through the School’s complaints procedure and /or with the Monitoring Officer.

Whistleblowers must not be threatened or retaliated against in any way; involvement in such conduct may result in disciplinary action. In some cases, the whistleblower

could have a right to sue the individual personally for compensation in an employment tribunal.

The School also operates the Employee Assistance Programme that offers around –the- clock, free confidential assistance.

## 9. Key Contacts and additional information

School's Whistleblowing Officer : Mrs Gemma McCann (School Business Manager)

Governor with responsibility for whistleblowing : Mrs Lisa Thoms (Chair of Governors)

Council's Whistleblowing Officer : Helen Peters (Internal Audit)  
[helen.peters@cheshirewestandchester.gov.uk](mailto:helen.peters@cheshirewestandchester.gov.uk)

Head of Governance (Monitoring Officer) Vanessa Whiting

Council's Whistleblowing hotline (Internal) 01244 973 223  
[whistleblowing@cheshirewestandchester.gov.uk](mailto:whistleblowing@cheshirewestandchester.gov.uk)

Fraud hotline 0300 123 7030  
[fraud@cheshirewestandchester.gov.uk](mailto:fraud@cheshirewestandchester.gov.uk)

Council's Employee Assistance Programme (offers free confidential advice)  
0330 380 0658

Accessible via the hub ([workingrewards.co.uk](http://workingrewards.co.uk))

Protect (previously Public Concern at Work)  
(Independent whistleblowing charity)

Helpline: (020) 3117 2520 [Contact our Advice Line - Protect - Speak up stop harm](https://www.protect-advice.org.uk)  
([protect-advice.org.uk](https://www.protect-advice.org.uk))

Website: Contact our Advice Line - Protect - Speak up stop harm  
([protect-advice.org.uk](https://www.protect-advice.org.uk))

[Blowing the whistle to the Department for Education - GOV.UK](https://www.gov.uk/government/organisations/department-for-education)

## 10. Personnel responsible for the policy

The Head teacher has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy. The Whistleblowing Officer has day-to-day operational responsibility for this policy and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

The Whistleblowing Officer, in conjunction with a representative from Legal Services and HR will review this policy from a legal and operational perspective at least once a year.

All Employees and Governors are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

If you have any questions or suggestions for improvement to this policy, please contact:

Internal Audit - Fraud and Investigations Manager (Whistleblowing Officer) –  
Helen Peters

Telephone: 01244 977 375

Email: [helen.peters@cheshirewestandchester.gov.uk](mailto:helen.peters@cheshirewestandchester.gov.uk)

Other relevant policies can be accessed in the school office in addition to this Whistleblowing Policy, these include:

Code of Conduct (Incorporating Gifts and Hospitality)

Governors Code of Conduct

Anti-Bribery Policy and Framework Anti-Fraud and Corruption Policy

### **Procedure:**

#### **Raising a Concern**

You can raise your concern orally, (i.e. face to face or over the phone) or in writing. If you write, mark the envelope 'personal, private and confidential' and if the concern is of a serious nature, hand deliver the envelope to the person you wish to report the matter to.

Whichever way you choose, please give as much information as you can. Remember also to give your name, job and say if you do not want to be contacted at work (if so, give your home address and phone number).

You should include the following:

- background information;
- information as to why you are concerned;
- details of any other procedures which you have already used, and what happened;
- the names of the employee/ Governor involved and where they work (if applicable);
- dates or periods of time relating to the matter;

- the names and jobs of any other employees/Governors who may support your concern.

The earlier you express your concern, the easier it will be to take action.

Although you will not be expected to prove beyond doubt the truth of an allegation, you will need to demonstrate that there are reasonable grounds for the concern.

You may find it easier to raise the matter jointly if there is another employee /Governor who has the same concern, and will support your allegation.

You would be advised to invite your trade union representative, or another person, to be present during any meetings or interviews in connection with the concern raised. In this case you can remain anonymous when the concern is first raised, but you may have to be involved personally if the matter goes further.

## **HOW THE SCHOOL WILL RESPOND**

One of those named in paragraph 3 will firstly decide whether to carry out an investigation and determine which School procedure it is appropriate to use.

If it is decided that the matter should be taken further under Whistle blowing procedures, the concern raised may be:

- investigated by an investigating officer appointed by the school;
- referred to the police;
- referred to the school's auditor;

You may be interviewed by the person investigating the matter.

In order to protect individuals accused of a possible malpractice, enquiries will be made to decide whether an investigation is appropriate. Some concerns may be resolved by agreed action without the need for an investigation. If urgent action is required, this will take place before an investigation is undertaken.

## **What You Will be Told**

The person to whom you have raised your concern will contact you in writing within 10 working days detailing the following:

- acknowledge that the concern has been received;
- indicating how the school intends to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- detailing any initial enquiries that have been made; and
- informing you whether further investigations will take place (and if not, why not).

The amount of contact you have with the people considering the matter will depend on the type of concern, the potential difficulties of the investigation and the availability of information. Wherever possible, you will be told the final outcome of any investigation.

The school will take steps to minimise any difficulties you may experience as a result of raising a concern. For example, if required to give evidence in criminal or disciplinary proceedings, the school will arrange for you to receive advice about the procedure.

### **IF YOU ARE NOT SATISFIED WITH THE SCHOOL'S RESPONSE**

This procedure is meant to give everyone an effective way to raise a concern within the School (and if possible resolve it internally). However, if you are still unhappy after using the procedure (and getting a final written response) you are entitled to consider taking your concern elsewhere. If you do this, these are some of the contacts that are available:

- CWAC audit department - 01244 972600
- UNISON Whistle blowing Hotline - 0800 597 9750
- Audit Commission Anti Fraud and Corruption Unit - 0270 630 1019
- The independent charity Public Concern at Work - 0270 404 6609
- a Citizens Advice Bureau
- a relevant professional or regulatory body
- a relevant voluntary organisation
- the police
- NSPCC Whistleblowing Advice line - 0800 0280285