



Whistleblowing Policy For All Schools

LA amended - changes approved 8 January 2015 - LA to review

1. Introduction

101 The Governing Body of Marden Bridge Middle School is committed to maintaining the highest standards of integrity, honesty and professionalism in the workplace and in doing so complying with its legal obligations. Whilst the Governing Body will make every effort to ensure that its business is conducted according to these standards, staff or other workers may become aware of, or suspect, certain failures or wrongdoings.

102 The Governing Body recognise their duty in such circumstances to ensure staff and other workers, who raise concerns under the Public Interest Disclosure Act 1998 (PIDA) and the Enterprise and Regulatory Reform Act 2013 (ERRA), do so without fear of victimisation or detriment. Governors wish to encourage the raising of serious concerns within the remit of this policy where the following criteria are met:

- The individual raising the concern is a 'worker' (see section 2) covered by the Act
- The concern raised is of the right type (a 'qualifying disclosure' – see section 3)
- The concern is revealed to the right person, and in the right way (making it a 'protected disclosure' – see section 4)

103 Governors recognise that there may be occasions where someone may not meet these criteria. In such circumstances you are reminded of alternative routes to raise your concerns shown in section 9 of this policy. If you are in doubt we would always encourage contact with the Headteacher or Trade Union/Professional Association (where applicable) regarding any concerns in the first instance.

2. Purpose & Scope

201 The Governing Body recognise that this policy is applicable only to “workers” as defined by the PIDA and as such you must meet one of the following criteria:

- You are an employee of the school
- You are an agency worker
- You work for a third party employer interacting with the school eg contractor, supplier

202 Where you meet one of these definitions of a “worker” then any serious concern that qualifies under this policy is encouraged to be disclosed and the Governing Body will protect you against any detrimental treatment.

Volunteers and the self employed are not covered by the Act.

3. What “qualifying disclosures” are covered by this policy

301 A worker as defined above needs to ensure that the information they wish to disclose meets certain defined criteria. Only through meeting these criteria will a disclosure fall within the remit of this policy. To ensure that a “Qualifying Disclosure” is made you should reasonably

believe that the disclosure of information relates to a serious action in one or more of the following areas:

- A criminal offence;
- Breach of a legal obligation;
- Miscarriage of justice;
- Danger to the Health & Safety of any individual (e.g. Pupil, Parent, worker etc);
- Damage to the environment;
- Any deliberate concealment of the above matters

302 By releasing such information in an appropriate way a member of staff or other worker can be assured of protection against detrimental treatment through this policy.

4. Ensuring a “Protective Disclosure” through this policy

401 Where you believe one of the above events have happened, is happening, or is likely to happen in the near future, you should raise the issue in the first instance informally with your line manager within school¹. The Governing Body will expect your manager to assess the nature of the concern and take appropriate action and inform you of the outcome.

402 Where you feel that it is inappropriate to approach your immediate manager, or where you believe they have failed to act appropriately in assessing your concern, then you should approach a designated member of staff approved by the Governing Body to hear “whistleblowing” concerns within school. Where you are not an employee of the school, but are covered by this policy, then concerns must also be raised with this designated member of staff.

403 *(a) Governors have determined that the following designated members of staff have responsibility for investigating concerns raised under this policy.

- Issues relating to Health & Safety will be assessed by – J Newport or L England
- Issues relating to Child Protection will be assessed by - J Instone
- Issues relating to Finance and Fraud will be assessed by L England or J Newport
- All other issues should be referred to the Headteacher for assessment

Where those designated are themselves involved in the concern you wish to disclose then you should refer your concern to the Headteacher for assessment, or where they are involved to the Chair of Governors.

5. Assessing a disclosure

501 Once the designated member of staff is notified of the concern they will have responsibility to meet with you as soon as reasonably possible and take down a formal written account of your

¹ Please note that where a matter relates to child protection then staff must follow reporting procedures as laid down within their child protection policy.

disclosure to ensure it is taken seriously and an appropriate assessment can be undertaken.

502 To speed up any assessment of your concerns you should set out in writing the background detail and reasons for your concern and make these available prior to this meeting.

503 Following this meeting the designated manager will continue with their assessment of your concern.

504 You are entitled to be accompanied to any meeting that you attend in connection with the assessment by a work colleague or a trade union/professional association representative. Equally, the designated member of staff may be supported by the school Link HR Advisor.

6. Confidentiality

601 The Governing Body view confidentiality as a two way process and will endeavour to maintain this approach, though we recognise this cannot always be guaranteed. In return we would expect concerns you have raised through this policy will remain equally confidential until there has been an opportunity for their assessment. We also wish to state that although a concern may also be raised anonymously, it may impede the designated managers ability to undertake a thorough assessment if you choose to do so. We would hope that the protection provided by this policy would negate the need for such actions.

7. Reporting arrangements

701 Where specific concerns have been validated by the designated manager they will be forwarded onto the Headteacher who will advise the Staffing Committee on appropriate actions required. The Staffing Committee will be tasked to ensure that any actions identified are undertaken within agreed timescales.

702 The Governing Body have determined that they will receive an annual report on the number of referrals under this policy from the Headteacher.

8. External Referral

801 Only in exceptional circumstances, will the Governing Body approve the disclosure of concerns outside of school unless having first provided an opportunity to address them through the above procedure. However, where you feel you are unable to raise your concerns through the above procedure then you may consider raising them with an appropriate external regulatory authority as prescribed by the Government. A list of external regulators can be found at www.gov.uk/whistleblowing.

9. Alternatives to Whistleblowing

901 Where you are not a worker covered by this policy, (for example you are a parent, school volunteer or member of the public), but you wish to raise a serious concern then you should

discuss this with the appropriate member of staff or failing this, the Headteacher. If following this informal route you still have serious concerns, then you should consider action through the school complaints procedure.

902 Where you are a worker covered by this policy, but the concern relates to an internal school procedure or act that has a direct effect on you as a member of staff, then governors would expect that member of staff to raise these concerns through the school resolution procedure.

903 Where a disclosure is made in direct breach of, or outside of the scope of, this policy, or is made knowing it is untrue or for personal gain then you may be subject to disciplinary action under the school disciplinary policy.

10. Support and Advice

1001 If you are unsure as to whether to disclose your concern or whether it qualifies as a protective disclosure, independent advice can be obtained from Public Concern at Work through the following means:

- e-mail helpline@pcaw.co.uk
- Telephone advice (**020 3117 2520 / 020 7404 6609**) is available 9 am to 6 pm, Monday to Friday

Write to: Public Concern at Work, Suite 301, 6 Baldwins Gardens, London EC1N 7RJ