



WHISTLEBLOWING POLICY

Policy Review:

Summer Term 2019

Whistleblowing Policy

Table of Contents

Whistleblowing Policy.....	3
Introduction.....	3
Definitions:	3
Aims and Scope of this Policy.....	3
Raising a Whistleblowing Concern	4
Protection and Support for Whistleblowers.....	4
Open Disclosures	5
Confidentiality	5
Untrue Allegations	5
If a member of staff is not satisfied	6
The Law	6
Monitoring and review	6
Contacts:	6
Links with other policies:.....	7

Whistleblowing Policy

This policy applies to all employees, members of the governing body, contractors and suppliers. It will be made available to all staff, posted on the school's intranet and external website.

Introduction

Tytherington School is committed to conducting itself with honesty and integrity, and expects staff and governors to maintain high standards. However, all organisations face the risk of things going wrong or of unknowingly harbouring illegal or unethical conduct. We adopt a culture of openness and accountability which is essential to minimize such occurrences and address them if they do.

This policy is intended to enable employees, members of the governing body, contractors and suppliers to raise serious concerns rather than overlooking a problem, and to encourage them to blow the whistle within the school rather than turning to outside agencies.

Definitions:

Whistleblowing can be described as a disclosure made by an employee, member of the governing body, contractor or supplier (hereon in referred to as 'the whistleblower') who has concerns about a dangerous, unlawful or unethical practice which it is in the public interest to disclose.

A whistleblower is a person who raises a genuine concern about suspected wrongdoing affecting any of the Academy Trust's activities (a whistleblowing concern) and that person should report the concern under this policy.

Aims and Scope of this Policy

This policy has been developed in line with best practice and aims to encourage the reporting of suspected wrongdoing as soon as possible, in the knowledge that concerns will be taken seriously, investigated as appropriate, and that the confidentiality of the whistleblower will be respected.

The policy aims to:

- provides guidance as to how to raise concerns; and demonstrates that when genuine concerns are raised in good faith they can be done so without fear of reprisals,
- reassure that this will be the case even if the concerns turn out to be mistaken or cannot be substantiated

The Whistleblowing Policy is intended to cover major concerns that are not covered by any other school policies. Examples of concerns include:

- Criminal activity
- Miscarriages of justice
- Failure to comply with legal or professional obligations or regulatory requirements
- Bribery
- Dangers to Health and Safety, including risks to pupils, the public and other employees
- Damage to the environment
- Financial fraud or mismanagement

- Negligence
- Breach of Tytherington School's internal policies and procedures
- Conduct likely to damage the School's reputation
- Unauthorised use of public funds
- Unauthorised disclosure of confidential information
- Concerns about the harm or risk of harm to children
- Other unethical conduct
- Deliberate concealment of any of the above categories

This policy should not be used for complaints relating to personal circumstances such as treatment at work when the Grievance Procedure, Dignity at Work Policy or Anti-harassment and Bullying Policy should be used as appropriate. Where there is uncertainty whether a concern is within the scope of this policy, please seek advice from a Whistleblowing Officer, whose contact details are contained within this policy.

This policy does not cover members of the public whose concerns are dealt with under the Complaints Policy.

Concerns around Child Protection should be referred through the school's Safeguarding Procedure.

Raising a Whistleblowing Concern

We recognise that the decision to report a concern can be a difficult one, not least because of the fear of reprisal from those responsible for the alleged malpractice.

Tytherington School hopes that stakeholders will raise concerns with their line manager or the Senior Leadership Team - in person or in writing – and that the concern can be addressed quickly and effectively. This may include referring the matter to the Whistleblowing Officer.

However, where the matter is more serious, the concern has not been satisfactorily addressed or for any reason the whistleblower should contact any of the Whistleblowing Officers and follow the Whistleblowing Procedure.

Protection and Support for Whistleblowers

Tytherington School will not tolerate any detrimental treatment (including informal pressures) of bona fide whistleblowers and will take appropriate action. under the school's disciplinary (or other) procedures.

A whistleblower who believes that that they have suffered a detriment as a result of raising a concern should raise the issue with a Whistleblowing Officer immediately.

If a member of staff is the subject of disciplinary or redundancy procedures and chooses to whistle blow, they should be aware that these processes will still continue.

This policy provides a secure basis for reporting concerns in the knowledge that if requested the matter will be treated confidentiality.

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

Open Disclosures

The best culture is one where individuals have sufficient faith in the culture of the school to report concerns openly, so those involved know the issues and who raised them.

This is the aim of Tytherington School as it makes it easier to assess the report, gather additional information and carry out an investigation. Open investigations can help reveal hidden agendas, prevent witch hunts and reduce the risk of mistrust and paranoia developing.

However, when voicing concerns openly doesn't feel right, they can be reported confidentially under this policy which protects the whistleblower.

Confidentiality

When a concern is raised confidentially, Tytherington School will make every effort to ensure the identity of the whistleblower is not revealed.

When investigating the concern internally, if it would be advantageous to reveal the whistleblower's name, or if by raising the concern their identity is likely to be revealed, the school will discuss this with the whistleblower in advance.

Anonymous disclosures are discouraged as this can make effective investigation more difficult or impossible without further details or discussion. It is also more difficult to establish whether the allegations are credible and/or made in good faith and not malicious.

Whistleblowers who are concerned about possible reprisals should come forward to the Whistleblowing Officer and discuss appropriate measures to preserve confidentiality.

Although we will do our best to ensure that names are not revealed, in a small institution it is not possible to guarantee that the identity of the whistleblower will not become known – particularly where a limited number of people have access to the area/topic at issue.

In addition, there are certain circumstances in which the name may be revealed including:

- If the report is found to be knowingly false or the whistleblower is found to be acting maliciously
- If the law requires the concern to be reported to a statutory body
- If disclosure is ordered by the courts
- a formal statement is required as part of a police investigation

In exercising this discretion to keep the whistleblower's identity anonymous, the factors taken into account by the school would include:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

Those making anonymous reports are not covered by the safeguards put in place to protect known whistleblowers.

Untrue Allegations

If a whistleblower makes an allegation or raises a suspicion in good faith and that they believe to be true, but which cannot be substantiated by internal investigation, no action will be taken against the person making the allegation.

If however, an allegation is made which is known to be false then disciplinary action may be taken against the 'whistleblower' under the school's procedures.

If the whistleblower is not satisfied

While the school cannot guarantee the outcome, the whistleblower may be seeking, it will try to deal with the concern fairly and in an appropriate way. By using this policy staff can help the school to achieve this.

If a whistleblower is not happy with the way in which the concern has been handled, they can raise it with the Chair of the Governing Body.

The Law

This policy has been written to take into account the Public Interest Disclosure Act 1988, which protects workers making disclosures about certain matters of concern, where those disclosures are made within the act's provisions. The Act is incorporated into the Employment Rights Act 1996, which already protects employees who take action over, or raise concerns about, health and safety at work.

Monitoring and review

The policy will be reviewed in the light of operating experience and/or changes in legislation or further issued guidance from the DfE or every three years if there have been no changes.

Contacts:

Role	Contact information:
Whistleblowing Officers:	Lynne Jones (Governor) lynneroosejones@gmail.com 07843 061059 Francesca Allen (HR Projects Manager) fallen@tytheringtonschool.co.uk 01625 447 296 Helen Brady (HR & Payroll Manager) hbrady@tytheringtonschool.co.uk 01625 447 259
Public Concern at Work Whistleblowing Charity	www.pcaw.co.uk Helpline: 020 3117 2520
NSPCC Whistleblowing Helpline	www.nspcc.org.uk Helpline: 0800 028 0285

It is stressed that this list is not exhaustive and a potential whistleblower is free to contact other organisations as appropriate including:

- The Police
- Ofsted
- Department of Education

It is recommended that legal advice should be taken before reporting an issue to a body other than those specified to ensure any disclosure is protected.

Whistleblowers are protected under the Public Interests Disclosure Act 1988 if the whistleblower:

- believes the disclosure to be in the public interest
- reasonably believes the information disclosed and any allegation contained in it, is substantially true
- does not make the disclosure for personal gain

Links with other policies:

- Grievance Procedure
- Complaints Policy
- Disciplinary and Grievance Policy
- Dignity at Work
- Bullying and Harassment Policy