

# North Nibley C of E Primary School

## WHISTLEBLOWING Policy

Policy status	Non-Statutory
Committee responsible for this policy	Teaching and Learning
Policy reviewed/amended	March 2020
Policy review term	Triennial
Policy due for renew	March 2023

### ***Our Vision is to inspire and celebrate learning, achievement, faith and fun.***

Ours is a school that works in partnership with the community to enable and equip each child to live life to the full, reflecting the Christian values of our foundation.

#### **We will realise our Vision by:**

- demonstrating, as a Church school, our Christian values in action
- providing a happy, healthy and secure environment where all are respected, valued and encouraged to contribute
- encouraging participation and a love of learning by offering experiences full of opportunity and creativity
- pursuing excellence in every aspect of school life, supporting one another and celebrating the achievements of all

This policy embodies the school's vision and Christian values in action by:

- Placing pupil safety and wellbeing ("happy, healthy and secure") at the heart of our work and the foremost of the stated criteria for realising our vision.
- Ensuring that all with a stake in our school (children, parents, staff, governors, visitors and volunteers) are aware of their "responsibilities" towards children, their safety and future potential
- Establishing the principle that the material concerns and resources of the school must be used for the good of the school. Fraud and other behaviours which mislead and misrepresent the truth are incompatible with our vision and values.
- Encouraging a spirit of compassion, respect, friendship, hope and trust within which our children should flourish

#### **A Biblical Perspective:**

#### **Proverbs 12:17**

"Truthful witness by a good person clears the air, but liars lay down a smoke screen of deceit."

## **Introduction**

All adults, whether paid or voluntary, must acknowledge their individual responsibility to bring matters of concern to the attention of senior management and/or relevant agencies. Although this can be difficult this is particularly important where the welfare of children may be at risk. Staff may be the first to recognise that something is wrong but may not feel able to express concerns out of a feeling that this would be disloyal to colleagues, may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable child or young person who is targeted. The welfare of children must be safeguarded above all other considerations.

## **What is Whistleblowing?**

You're a whistleblower if you're a worker and you report certain types of wrongdoing. This will usually be something you've seen at work - though not always.

Issues might relate to Abuse, Fraud, Illegality or Waste.

The wrongdoing you disclose must be in the public interest. This means it must affect others, e.g. the general public.

As a whistleblower you're protected by law - you shouldn't be treated unfairly or lose your job because you 'blow the whistle'.

You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future.

## **Who is protected by law?**

You're protected if you're a worker, e.g. you're:

- an employee, such as a police officer, NHS employee, office worker, factory worker
- a trainee, such as a student nurse
- an agency worker
- a member of a Limited Liability Partnership (LLP)

Get independent advice if you're not sure you're protected, e.g. from Citizens' Advice.

A confidentiality clause or 'gagging clause' in a settlement agreement isn't valid if you're a whistleblower.

Although Governors are not protected by law, the Governing Body of North Nibley C of E Primary School assert the intention to apply the principles of protection as far as reasonably possible.

## **Complaints that count as whistleblowing**

You're protected by law if you report any of the following:

- a criminal offence, e.g. fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, e.g. doesn't have the right insurance
- you believe someone is covering up wrongdoing

## **Complaints that don't count as whistleblowing**

Personal grievances (e.g. bullying, harassment, discrimination) aren't covered by whistleblowing law, unless your particular case is in the public interest.

## **Reasons for whistleblowing**

- each individual has a responsibility for raising concerns about unacceptable practice or behaviour
- to prevent the problem worsening or widening
- to protect or reduce risks to others
- to prevent becoming implicated yourself

## **What stops people from whistleblowing?**

- starting a chain of events which spirals
- disrupting the work or project
- fear of getting it wrong
- fear of repercussions or damaging careers
- fear of not being believed

## **How to raise a concern**

- try to pinpoint exactly what practice is concerning you and why
- voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken
- approach your immediate manager (if a Teaching Assistant), the Head Teacher, the Designated Safeguarding Lead or the Deputy Safeguarding Lead
- if your concern is about your Head Teacher, the chair of governors must be contacted
- it is important NOT to discuss concerns with peers who may also be witnesses. 'Collaboration' between witnesses may prevent the success of any action taken against a perpetrator
- make sure you get a satisfactory response - don't let matters rest
- ideally, you should put your concerns in writing, outlining the background and history
- giving names, dates and places where you can.
- a member of staff is not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern

## **What your line manager, Head Teacher or Chair of Governors will do**

Your line manager or Chair of Governors will listen to your concern and decide if any action is needed. You may be asked for further information.

You must say straight away if you don't want anyone else to know it was you who raised the concern.

You won't have a say in how your concern is dealt with.

Your line manager or Chair of Governors can keep you informed about the action they've taken, but they can't give you much detail if they have to keep the confidence of other people.

## **What happens next?**

- you should be given information on the nature and progress of any enquiries.
- your employer has a responsibility to protect you from harassment or victimisation.
- no action will be taken against you if the concern proves to be unfounded and was raised in good faith
- malicious allegations may be considered as a disciplinary offence

## **If you're not satisfied with how your employer dealt with your concern**

- Tell someone else (e.g. a more senior member of staff), the Local Authority or regulatory body if you believe your concern wasn't taken seriously or the wrongdoing is still going on.
- Contact the Advisory, Conciliation and Arbitration Service (ACAS), the whistleblowing charity "Public Concern at Work" or your trade union for more guidance.

## Self-Reporting

There may be occasions where a member of staff has a personal difficulty, perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most instances, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

## Further advice and support

It is recognised that whistleblowing can be difficult and stressful. Advice and support is available from your line manager, the Local Authority's Human Resources department and/or your professional or trade union.

Gloucestershire's Safeguarding Department can be contacted on 01452 425342

The School's Child Protection Governor is listed on the Leadership List which is displayed in the staffroom.

Gloucestershire's Safeguarding Children Board (GSCB) publishes a live (on-line only) version of their handbook – "Gloucestershire Safeguarding Handbook for Educational Settings" and also "Guidance for Safer Working Practice for Adults working with Children and Young People". Both can be found at <http://www.gscb.org.uk>

## *Don't think what if I'm wrong - think what if I'm right*

*"Absolutely without fail - challenge poor practice or performance. If you ignore or collude with poor practice it makes it harder to sound the alarm when things go wrong"* (reproduced with acknowledgement to "Sounding the Alarm" – Barnardos)

## **SAFEGUARDING STATEMENT:**

**THIS POLICY IS PART OF OUR SUITE OF SAFEGAURDING POLICIES AND PROCEDURES. IT MUST BE READ IN CONJUNCTION WITH THE FOLLOWING, ALL OF WHICH CAN BE FOUND ON OUR WEBSITE: [www.northnibley.gloucs.sch.uk](http://www.northnibley.gloucs.sch.uk)**

- Acceptable Use of Technology
- Anti-bullying and hate
- Attendance
- Behaviour
- Child protection/safeguarding
- Complaints
- Confidentiality
- E-safety
- Health and Safety
- Intimate Care
- Offers of Early Help
- RHSE (relationships, health and sex education)
- Safer Recruitment, Staff Selection and Induction
- Safer Working Practices
- Special Educational Needs and Disabilities
- Staff code of conduct/Staff handbook
- Whistleblowing

Also: Anti-Fraud Policy