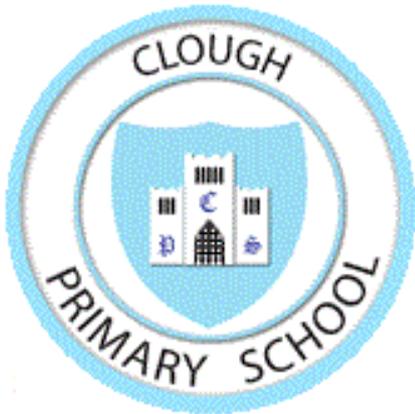


# Clough Primary School and Nursery Unit



## Whistleblowing Policy

This policy was adapted: \_\_\_\_\_

Signed: \_\_\_\_\_ Chairperson B.O.G.

Review date: By June 2022

# **WHISTLEBLOWING POLICY**

## **Introduction**

This policy is based on the DENI Circular TNC 2005/4 Code of practice on reporting malpractice (whistleblowing policy)

Clough Primary School and Nursery Unit are committed to the highest possible standards of openness, probity and accountability and we encourage employees and others working with us to raise any concerns about any aspect of our work to come forward and voice those concerns. In some instances, concerns may need to be expressed on a confidential basis.

This procedure encourages employees to raise serious concerns, without fear of reprisal or victimisation, internally within Clough Primary School and Nursery Unit rather than over-looking a problem or raising the matter outside.

## **Other Complaints Procedures**

This procedure is separate from Clough Primary School and Nursery Unit Complaint's Procedures and Grievance Policy and other statutory reporting procedures.

Any investigation into allegations of potential malpractice under this procedure will not influence or be influenced by any disciplinary or redundancy procedures that already affects an individual.

## **Aim & Scope**

This procedure aims to ensure individuals are:

- Encouraged to feel confident in raising serious concerns and to question and act upon concerns about practice
- Provided with avenues to raise concerns and receive feedback on any action taken
- Given a response to their concerns and are aware of how to pursue them if not satisfied
- Reassured that they will be protected from reprisals or victimisation if they have a reasonable belief any disclosure has been made in good faith.

There are existing procedures in place to enable individuals to lodge a grievance relating to their own employment including issues relating to harassment and bullying. This procedure is intended to cover concerns that fall outside the scope of other procedures. These include:

- Conduct which is, has been or is likely to be an offence or breach of law
- Conduct that has occurred, is occurring or is likely to occur, the result of which Clough Primary School and Nursery Unit fails to comply with a legal obligation. For example, unauthorised use of public funds, possible fraud and corruption, sexual or physical abuse of clients, or other unethical conduct discrimination of any kind and waste/frivolous expenditure
- Disclosures related to past, current or likely miscarriages of justice
- Past, current or likely health and safety risks, including risks to the public as well as other employees (see below)
- Past, current or likely damage to the environment.

Concerns about any aspect of service provision or the conduct of officers or employees of the school or others acting on behalf of the school, can be reported under the Whistleblowing Procedure. This may be about something that you:

- Feel uncomfortable about in terms of known standards, your experience or the standards you believe Clough Primary School and Nursery Unit subscribes to: or
- Is against Clough Primary School and Nursery Units' policies
- Falls below established standards of practice; or
- Amounts to improper conduct.

The School's safety complaints procedure should be used to raise any issues, concerns or complaints of a health and safety nature and which are not confidential.

### **Confidentiality**

All concerns raised will be treated in confidence and every effort will be made not to reveal your identity if this is your wish. However, in certain cases, it may not be possible to maintain confidentiality if you are required to come forward as a witness.

### **Anonymous Allegations**

Whenever possible you should put your name to your allegation as concerns expressed anonymously are much less powerful than those that are attributed to a

named individual. However anonymous allegations will be considered and investigated at Clough Primary School's discretion.

In exercising the discretion, the factors to be taken into account would include:

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

### **Untrue Allegations**

If you make an allegation in good faith that is not subsequently confirmed by an investigation, no action will be taken. Disciplinary action will only be taken against individuals who knowingly make false, malicious or vexatious allegations.

### **How to Raise a Concern?**

#### **General**

Concerns can be raised verbally or in writing. A concern raised in writing should:

- Set out the background and history of the concern, giving names, dates and places where possible
- Give the reason why you are particularly concerned about the situation.

The earlier a concern is raised the easier it is to take action. Although you are not expected to prove beyond doubt the truth of an allegation, you need to demonstrate to the person contacted that there are sufficient grounds for your concern.

A trade union or professional association may raise a matter on behalf of an employee.

#### **Step One – Raising a Concern**

Whenever possible you should raise your concern with the Principal as soon as any malpractice becomes apparent. If this is not appropriate, for example where it is suspected that the Principal already knows about the malpractice and does not appear to be addressing it, or where it is suspected that the Principal may be involved, the whistleblower should report their concerns to the Chairperson of the Board of Governors. Alternatively, the matter may be raised with one of the following outlined

in Step Two if, for whatever reason, the whistleblower is unable to raise his/her concerns with one of the above.

## **Step Two – How the school will respond**

The action taken will depend on the nature of the concern. The matters raised may:

- Be investigated internally by the Principal
- Be referred to the Police
- Be referred to the External Auditor
- Form the subject of an independent inquiry.

In order to protect individuals and the school, initial enquiries will be made to decide whether an investigation is appropriate and if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (e.g. child protection or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

You will be written to within ten working days:

- Acknowledging that the concern has been received
- Indicating how the school proposes to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Informing you if any initial enquiries have been made
- Whether further investigations will take place and if not, why not.

## **Contact**

The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought.

## **Attending Meetings**

When any meeting is arranged you have the right to be accompanied by a trade union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

## **Support**

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

The school will not tolerate harassment or victimisation (including informal pressures) and will take action to protect individuals who raise a concern in good faith.

The school accepts that you need to be assured that concerns will be properly addressed and subject to legal constraints, will provide information about the outcomes of any investigations.

## **How The Matter Can Be Taken Further?**

This procedure is intended to provide individuals with an avenue to raise concerns within the school and through E.A. If you are not satisfied and feel it is right to take the matter further and it has to be taken outside of the school and E.A. you must take all reasonable steps to ensure that confidential or privileged information is not disclosed. If in doubt, check with Clough Primary School and Nursery Unit / E.A.

## **Public Interest Disclosure**

Public Interest Disclosure Act 1998 gives employees two safeguards in respect of disclosures of information.

- An employee is entitled not to be subjected to any detriment by virtue of having made a protected disclosure
- The dismissal of any Clough Primary School employee directly due to the individual having made such a disclosure will automatically be unfair.