

Mason Moor Primary School

Policy Document

Policy for:	Whistleblowing Policy
Overarching Area:	Safeguarding
Other policy links:	Safeguarding Policy Staff Code of Conduct Grievance Policy
Governors' Ratification Date:	26 April 2016
Revisions and Amendments:	Based on the Southampton City Council model policy, amended to reflect a school context.

Context

Whistleblowing is a way for employees of Mason Moor Primary School to raise reasonably and honestly held concerns that they may have about serious matters that could put the school community and/or the wider public at risk. Whistleblowing usually involves bringing forward concerns that it are in the public interest to investigate and resolve. Examples are crime, fraud, the giving or taking of bribes, financial malpractice, or practices that might endanger individuals or the environment.

The aim of this policy is to outline what you can do if you believe you need to raise an issue of this nature and how you will be protected if you do.

Introduction

All of us at one time or another have concerns about what is happening at work. Usually, however, these concerns are easily resolved. However, when such concerns are about unlawful conduct, illegality, safeguarding, financial malpractice, endangering an individual's health or safety, or dangers to children, other employees or members of the wider community or the environment, it can be difficult to know what to do.

You may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the school community. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

Mason Moor Primary School has therefore adopted Southampton City Council's approved policy which reflects the legal framework and the legal obligations placed upon the council to enable you to raise your concerns about such malpractice at an early stage and in the right way. The school would always rather you raised the matter when it is just a concern rather than wait for formal proof. If something is troubling you which you think the school should know about, or look into, please use this policy.

If, however, you are aggrieved about your personal position and how you are being treated, please use the school Grievance Policy.

This Whistleblowing policy is primarily for concerns where the interests of others, or the interests of the school as an organisation itself, are at risk.

If in any doubt – raise it!

The school assurances to you

The Public Interest Disclosure Act 1998 provides legal protection, in certain circumstances, to workers making disclosures about malpractice. The Act makes it unlawful for the school as a local authority school to dismiss anyone or allow them to be victimised on the basis that they have made an appropriate lawful disclosure in accordance with the Act.

If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of retribution as a result. Provided you reasonably believe what you are reporting is true, and that the disclosure is in the public interest, it does not matter if you are mistaken. Of course, we do not extend this assurance to someone who maliciously raises a matter they know is untrue. In that case, disciplinary action may be taken against you.

Duty to act

Mason Moor Primary School will not tolerate the harassment or victimisation of any colleague raising a genuine concern. Taking reprisals against an employee who has raised a concern in good faith is unacceptable and may give rise to disciplinary proceedings. If you have raised a concern and feel at any stage subsequently that you are suffering as a result of doing so, please let the Headteacher know (or the Chair of Governors if this is deemed more appropriate) so that appropriate action can be taken.

We recognise however that you may, nonetheless, want to raise a concern in confidence under this policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. If the situation arises where the school is not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed.

Remember that if you do not tell the school who you are, it will be much more difficult for the Headteacher\Governors to look into the matter, or to protect your position, or to give you feedback.

Accordingly, whilst we will consider anonymous reports, this policy is not well suited to concerns raised anonymously.

How we will handle the matter

Once you have told us of your concern we will look into it to assess initially what action should be taken. This may involve an internal enquiry or a more formal investigation. We will tell you who is handling the matter, how you can contact them and whether your further assistance may be needed. If you request it, we will write to you summarising your concern and setting out how we propose to handle it.

When you raise the concern you may be asked how you think the matter might best be resolved. If you do have a personal interest in the matter, we do ask that you tell us at the outset. If your concern falls more properly within the Grievance Policy we will tell you.

While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can. If requested we will confirm our response to you in writing. Please note, however, that we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.

How to raise a concern internally

- Step one If staff have a concern about malpractice, wherever possible, please raise it with your line manager first. This may be done orally and followed up in writing.
- Step two If staff feel unable to raise the matter with their line manager, for whatever reason, please raise the matter with the Headteacher (or Assistant Headteacher in their absence). Please say if you want to raise the matter in confidence so that the Headteacher\Assistant Headteacher can make appropriate arrangements. If you feel unable to raise the matter with the Headteacher, for whatever reason, please raise the matter with the Chair of Governors.
- Step three If these channels have been followed and you still have concerns, or the above options are not appropriate, or if you feel that the matter is so serious, please contact one or more of the below:

Dawn Baxendale
Chief Executive
Southampton City Council

023 8083 2966

dawn.baxendale@southampton.gov.uk

Mark Heath
Chief Operating Officer
Southampton City Council

023 8083 2371

mark.heath@southampton.gov.uk

Richard Ivory
Service Director Legal & Governance
Southampton City Council

023 8083 2794

richard.ivory@southampton.gov.uk

Neil Pitman
Chief Internal Auditor

01962 845 139

neil.pitman@hants.gov.uk

- Step four If, for whatever reason, you feel uncomfortable in reporting your concerns direct to the named officers above then there is a facility to submit a report via e-mail to the following generic in-box:

duty.to.act@southampton.gov.uk

Independent advice

If you are unsure whether to use this policy, or you want independent advice at any stage, you may contact, if applicable, your trade union, your professional body (e.g. Department for Education, National College for Teaching and Leadership etc) or the independent charity Public Concern at Work on 020 7404 6609 or www.pcaw.co.uk. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

External contacts

While we hope this policy gives you the reassurances you need to raise such matters internally, we recognise that there may be circumstances where you can properly report matters to outside

bodies, such as regulators like Ofsted, the Health & Safety Executive or the Police. Public Concern at Work or, if applicable, your trade union, will be able to advise you on such an option and on the circumstances in which you may be able to contact an outside body safely.

If you choose not to raise the matter internally, we would rather you raised the matter with the appropriate *regulator* than not at all. Provided you reasonably believe that what you are reporting is true, that it is in the public interest and you have evidence to back up your concern, you can also contact certain external bodies. However, not all disclosures to external bodies or individuals benefit from the protection set out in this policy.

Raising a matter with a third party who you reasonably believe is responsible for the wrongdoing, or a legal adviser, or a person prescribed by Parliament (such as HMRC, the Health & Safety Executive, Office of Fair Trading) will still be protected. Any further disclosure will only be protected if you reasonably believe that your concern is substantially true, you are not acting for any gain and it is so serious that you couldn't disclose it to the school or one of the prescribed bodies first.

If you are dissatisfied

If you are unhappy with the school response, remember that you can always go to the other levels and bodies detailed in this policy.

Whilst we cannot guarantee that we will respond on all matters in the way that you might wish, the school will make every effort to handle the matter fairly, transparently and properly. By using this policy precisely and in a professional manner, you will help the school to achieve this aim and to ensure all practices in the school are appropriate and of a high standard.