



Whistle Blowing Policy - November 29th 2016

This policy has been drawn up using guidance from Norfolk County Council, including the Council Whistleblowing Policy and Procedures Templates (K Witham 15/05/09) It is designed to work in accordance with the model policy from Norfolk County Council.

Statement of Intent

Three Rivers Federation of Surlingham and Rockland St Mary Primary School is committed to open and honest communication and the highest possible standards in integrity, and will treat whistleblowing as a serious matter.

In line with the Three Rivers Federation of Surlingham Primary School and Rockland St Mary Primary School's commitment to openness, probity and accountability, members of staff are encouraged to report concerns which will be taken seriously, investigated, and appropriate action taken in response. Such action is termed 'blowing the whistle,' this phrase is used throughout this policy, and should be viewed as a positive action of speaking up.

This policy seeks to ensure that any person suspecting malpractice knows how to raise concerns and what procedures are in place to deal with the concern.

2. Aims and Scope of the Whistleblowing Policy

2.1 This policy aims to:

- Encourage you to feel confident in raising serious concerns and to question and act upon concerns;
- Provide avenues for you to raise those concerns and receive feedback on any action taken;
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are satisfied;
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied;
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have raised any concern in good faith.

2.2 There are existing procedures in place to enable employees to lodge grievances relating to their employment. The Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures, including the corporate complaints procedure. The Policy therefore includes your concerns about;

- conduct which is an offence or a breach of law
- harassment of others
- sex, race or disability discrimination against others
- disclosures related to miscarriage of justice
- health and safety risks, including risks to the public as well as other employees;
- damage to the environment



- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse of clients
- breaches of the Council's Standing Orders, and policies;
- anything that makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the school and Council subscribes to; or other unethical or improper conduct (not otherwise included in this list.)
- concealing information about any of these matters.

Complaints relating to harassment of, or discrimination against, you will be dealt with under the specific procedures relating to those matters.

2.3 The Policy applies to service provision, the conduct of Officers, Members, or others acting on behalf of the Council.

2.4 It should be emphasised that this Policy is intended to assist individuals who have discovered malpractice or serious wrongdoing provided they make the disclosure in accordance with the Policy. It is not designed to question financial or business decisions taken by the Authority nor may it be used to reconsider any matters that have already been addressed under the harassment, complaint or disciplinary procedures. Individuals who make disclosures outside the arrangements set out here will not be protected under this Policy and may not be protected under the Act.

3.1 The Council is committed to good practice and high standards and wants to be supportive of employees and others who work for the Council.

3.2 The Council recognises that the decision to report a concern can be a difficult one to make. If you raise your concern based on reasonable belief and in good faith, you have nothing to fear because you will be doing your duty to our employer and the public and the Public Interest Disclosure Act 1998 will protect you from dismissal or other detriment. If your concern is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

3.3 The Council will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith, even if you are genuinely mistaken in your concerns. Any harassment or victimisation of a whistleblower may result in disciplinary action against the person responsible for the harassment or victimisation.

3.4 Any investigations into allegations arising from your whistleblowing will not influence or be influenced by any other personnel procedures to which you may be subject.

4. Confidentiality

4.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. If we are not able to resolve your concern without revealing your identity (e.g because your evidence may be needed in Court), we will discuss this with you.



5. The Responsible Officer

5.1 The Head of democratic Services and the head of Law, (The Council's Monitoring Officer), have overall responsibility for the maintenance and operation of this Policy. The Head of Democratic Services will maintain a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Council, or the Standards Committee of the Council.

6. What do we mean by Whistleblowing?

Whistle blowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- Criminal activity
- Child protection and/ or safeguarding concerns
- Miscarriages of justice
- Danger to health and safety
- Damage to the environment
- Failure to comply with any legal or professional obligation or regulatory requirements; financial fraud or mismanagement
- Negligence
- Breach of the school's internal policies and procedures including its Code of Conduct; conduct likely to damage the School's or Council's reputation; unauthorised disclosure of confidential information; the deliberate concealment of any of the above matters.
- Unlawful conduct, including financial or fraudulent malpractice such as embezzlement, bribery, corruption, dishonesty etc...

7. What is meant by the term Whistleblower?

A whistle blower is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concern relate to wrongdoing or danger affecting any of the School's activities (a whistleblowing concern) you should report it under this policy.

Under this policy, any of the following can raise a concern:

- Any Employee of the school



- Employees of contractors working for the school, for example, agency staff, builders and drivers.
- Employees of suppliers.
- Voluntary workers working with the school.
- A trainee, such as a trainee teacher.

This policy should not be used for complaints relating to Staff's own personal circumstances such as the way you have been treated at work. In those cases you should follow the Grievance Policy and Procedure.

If Staff are uncertain whether something related to a member of staff, but not the Headteacher, is within the scope of this policy they should seek advice from the Headteacher.

If the concern is regarding the headteacher, then the correct procedure is to contact the Chair of Governors.

If the concern is regarding the Chair of Governors, the correct procedure is to contact the Local Authority Designated Officer (LADO) You can contact them on 01603 223473

8. An Introduction to Whistleblowing

1.1 As a person working for Norfolk county Council you may be the first to realise that there could be something seriously wrong within the Council. However, you may feel that speaking up would be disloyal to your Colleagues or to the Council. You may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

1.2 The Council is committed to the highest possible standards of openness, integrity and accountability. We expect employees, and other that we work with/ alongside, who have serious concerns about any aspect of the Council's work to come forward and voice those concerns.

1.3 The purpose of this Whistleblowing Policy and the accompanying procedure is to make it clear that you can raise your concerns in confidence without fear of victimisation, subsequent discrimination or disadvantage. The council encourages you to raise serious concerns in the first instance within the Council rather than overlooking a problem or 'blowing the whistle' outside, and we would rather you raised the matter when it is just a concern rather than waiting for proof.

1.4 You should continue to raise appropriate concerns with relevant external agencies such as the Health and Safety Executive, the Audit Commission and utility regulators.

1.5 This Policy and Procedures applies to all employees and those contractors working for the Council on Council premises, for example, agency staff builders and drivers etc.. It also covers suppliers and those providing services under a contract with the Council in their own premises,



for example, care homes, or in the premises of another contractors, including construction and other sites. The Policy also applies to organisations working in partnership with the Council.

1.6 The Policy has been prepared in response to the Public Interest Disclosure Act 1998 in accordance with Government guidance on the issue and has been discussed with the relevant trade unions and has their support. The Procedure has the full support of the Joint Consultative and Negotiating Committee and Unison. Any changes, other than statutory will be referred to the Joint Consultative and Negotiating Committee for consultation. The Policy has been formally adopted by the Council and publicised widely to all those who may wish to use it.

1.7 The Council recognises employees may wish to seek advice and be represented by their trade union representative when raising a concern under the Policy, and acknowledges and endorses the role trade union representatives play in this area. Trade union representatives acting in accordance with the policy and Procedures will not suffer detriment in their employment with the Council.

9. Raising a Whistleblowing Concern

9.1 The School hopes that in many cases Staff will be able to raise any concerns with their Line Manager, speaking to them in person or putting the matter in writing if they prefer (hand written and signed, not typed.) They may be able to agree a way of resolving concern quickly and effectively. In some cases they may refer the matter to the Governing Body.

9.2 However, if the matter is more serious, or you feel that your Line Manager has not addressed your concern, or you prefer not to raise it with them for any reason, then you should follow the procedures in section 13.

10. Anonymous Allegations

10.1 This policy encourages you to put your name to your allegation whenever possible.

10.2 Concerns expressed anonymously are much less powerful but may be considered by the Council taking into account:

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

10.3 The Head of Democratic services will decide in each case whether a complaint made anonymously should be investigated

11. Procedure- How You will Raise a Concern

11.1 Concerns will be expressed verbally first and then followed up in writing, as soon as possible, to the head teacher, as Safeguarding Lead, and will include background and history of the concern,



names, dates and places where possible, and express the reasons for the concern. Individuals are encouraged to let themselves be known, either in person, or through their union representative, as concerns expressed anonymously are difficult to investigate.

11.2 Where your concern is about the head teacher of the school, the appropriate person to contact is the Chair of Governors.

11.3 If you are unsure or how to raise a concern you can contact the independent voluntary organisation Public Concern at Work on 020 74046609, for guidance.

11.4 If you believe that senior management is involved, or if you are not happy with the headteacher's response to your concerns, you should approach the Chair of Governors.

11.5 You can also telephone the Council's Whistleblowing Hotline 01603 224433

The earlier you express the concern the easier it is to take action.

11.6 Although you are not expected to provide proof for your concern, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

11.7 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two or more of you who have had the same experience or concern.

11.8 You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised. Any meetings that need to be arranged with you can be held off site if you wish.

11.9 If you are not an employee of the Council we would prefer that you raise your concern in the first instance with the Chief Officer of the Council department you are working for.

12. The Whistleblowing Procedure- How the School/ Council will Respond.

12.1 Confidentiality will be maintained in accordance with the Whistleblowing Policy. The head teacher will appoint a person unassociated with the matter to look into it. You will be informed who this is.

12.2 In order to protect individuals and those accused of misdeed or possible malpractice, this person will carry out initial enquiries in order to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Council have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection, harassment or discrimination issues) will normally be referred for consideration under those procedures.

12.3 Following these initial enquiries, the Council will respond to your concerns as appropriate. Your concern may;

- be investigated by management, internal audit or through the disciplinary process
- be referred to the police;
- be referred to an external auditor;



- form the subject of an independent inquiry.

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

12.5 Within seven working days of a concern being raised, the person appointed to look into it will contact you (in a way which does not rouse your suspicion in your work place.)

- acknowledging that the concern has been received;
- indicating how we propose to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- telling you whether any initial enquiries have been made;
- supplying you with information on staff support mechanisms;
- advising you of your entitlement to seek advice and representation from your trade union representative;
- telling you whether further investigations will take place and if not, why not;
- to agree with you how to proceed if you have chosen to remain anonymous.

12.6 The Council will do what it can to minimise any difficulties which 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 Council will arrange for you to receive advice about the procedure and other appropriate support.

12.7 The Council accepts that you need to be assured that the matter has been properly addressed. Subject to legal constraints and any confidentiality or other issues, we will inform you of the outcome of any investigation.

13. The Whistleblowing Procedure- How your concerns can be taken further

13.1 This procedure is intended to provide you with an avenue within the Council to raise concerns. If you are unsure whether or how to raise a concern you can contact the independent voluntary organisation Public Concern at Work on 02074046609, for guidance. The procedure has the full support of the Joint Consultative and Negotiating Committee and Unison.

13.2 The Council hope you will be satisfied with any action taken as a result of raising a concern. If you are not, and you feel it is right to take the matter outside the Council, the following are possible contacts:

- the external auditor (Send your letter to District Auditor, The Audit Commission, Regus House, 1010 Cambourne Business Park, Cambourne, Cambridge, CB236DP. Telephone 08447984200)
- your trade union;



- your local Citizens Advice Bureau;
- relevant professional bodies or regulatory organisations;
- the police.

13.3 If you do take the matter outside the Council, you should be careful not to disclose confidential information, and ensure that you comply with the requirements of the Public Interest Disclosure Act 1998 so that you do not lose the protection of the Act against dismissal or other detriment. Seek advice from the contact point about this.

Agreed by Governors: 29 Nov 2016

Signed by Chair of Governors (on behalf of the Governing Board)

A handwritten signature in black ink, appearing to read 'E. Hill', with a long horizontal stroke extending to the right.

Policy Review Date: November 2017