



## Whistleblowing Policy 2017

Whitmore Primary School & Nursery are committed to achieving high standards of integrity and accountability. This policy provides a framework for employees, consultants or contractors, to raise concerns which they believe are in the public interest and may relate to illegal, improper or unethical conduct. This policy should be used where there are concerns about the consequences for other employees or the public and does not apply to personal grievances.

### Principles:

Whitmore Primary School & Nursery is committed to achieving high standards of integrity and accountability and expects the same commitment from employees and those working for the school.

- The school aims to provide an open environment so that employees and those working for the can raise issues considered to be in the public interest, with the confidence that they will be acted upon appropriately.
- Employees will be protected from detrimental treatment i.e. victimisation or dismissal, if they raise concerns in good faith.
- This procedure complies with the Public Interest Disclosure Act 1998.

### Definition of Whistle-blowing :

Whistle-blowing is the formal raising of concerns that are in the public interest (referred to as public interest disclosures). 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. The wrongdoing you disclose must be in the public interest. This means it must affect others, eg 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.

### Complaints that count as whistle-blowing:

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

- a criminal offence, eg 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, eg doesn't have the right insurance
- you believe someone is covering up wrongdoing

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

Personal grievances (eg bullying, harassment, discrimination) aren't covered by whistleblowing law, unless your particular case is in the public interest. These need to be reported under the school's grievance policy

### **Who to tell and what to expect:**

You should raise your concerns with the Headteacher, if your concern is about the Headteacher you should raise your concerns with the Chair of Governors – Martin Pretlove.

There are other options if you don't want to report your concern to your employer, eg you can [get legal advice](#) from a lawyer, or tell a [prescribed person or body](#).

If you tell a prescribed person or body, it must be one that deals with the issue you're raising, eg a disclosure about wrongdoing in a care home can be made to the Care Quality Commission.

### **Making your claim anonymously or confidentially:**

You can tell your employer or a prescribed person anonymously but they may not be able to take the claim further if you haven't provided all the information they need.

You can give your name but request confidentiality - the person or body you tell should make every effort to protect your identity.

If you report your concern to the media, in most cases you'll lose your whistleblowing law rights.

### **What your employer or a prescribed person will do:**

The Headteacher or the prescribed person 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. The Headteacher or the prescribed person 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. A prescribed person can't help you with your relationship with your employer.

The Headteacher or prescribed person will:

- clarify what is alleged by the employee;
- assess what action should be taken;
- record the employee's concern on the whistleblowing investigation log;
- ensure the incident is reported to HR Advice and Support;
- HR Advice and Support will be able to provide any additional assistance if required;
- depending on the nature of the concern, the matter may be referred to an auditor, the police or another independent body;
- decisions and any remedial action should be clear and fully documented on the investigation log;

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

Tell someone else (eg a more senior member of staff) or a [prescribed person or 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.

### **If you're treated unfairly after whistleblowing**

You can take a case to an [employment tribunal](#) if you've been treated unfairly because you've blown the whistle.

You can get further information from the [Advisory, Conciliation and Arbitration Service \(Acas\)](#), [Citizens' Advice](#), the whistleblowing charity [Public Concern at Work](#) or your trade union.

If you reported your concern anonymously, you may find it harder to argue that your unfair treatment was as a result of your whistleblowing.

You must raise any claim of unfair dismissal within 3 months of your employment ending.

You must notify Acas if you want to take your case to an employment tribunal.



You can make a  
difference

# Speak out

If you see something that  
you know isn't right, report it

Report concerns in accordance with your organisation's  
whistleblowing policy.

Safeguarding concerns about anyone (paid/unpaid)  
working with children must be reported to the Local  
Authority Designated Officer. **Essex Duty LADO number:**

**03330 139 797**

Concerns about children's safeguarding that are not  
related to an allegation about a professional, call

**Children and Families Hub: 0345 603 7627.**

