



# **WHISTLE BLOWING POLICY 2022**

## Introduction

The staff and governors of Tarvin Primary School seek to run all aspects of school business and activity with full regard for high standards of conduct and integrity. In the event that members of school staff, parents, governors or the school community at large become aware of activities which give cause for concern, Tarvin Primary School has established the following whistle blowing policy, or code of practice, which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

This policy has been introduced in line with the Public Interest Disclosure Act 1998 (which you can consult at <http://www.opsi.gov.uk/acts/acts1998>) to enable workers to raise issues of concern in an appropriate manner.

Throughout this policy, the term whistleblower denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the Second Report of the Committee on Standards in Public Life: Local Spending Bodies published in May 1996.

Tarvin Primary School is committed to tackling fraud and other forms of malpractice and treats these issues seriously. Tarvin Primary School recognises that some concerns may be extremely sensitive and has therefore developed a system which allows for the confidential raising of concerns within the school environment but also has recourse to an external party outside the management structure of the school.

Tarvin Primary School is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

The provisions of this policy apply to matters of suspected fraud and impropriety and not matters of more general grievance which would be dealt with under the Tarvin Primary School complaints procedures.

## Procedure

The type of activity or behaviour which Tarvin Primary School considers should be dealt with under this policy includes:

- manipulation of accounting records and finances
- inappropriate use of school assets or funds
- decision-making for personal gain
- any criminal activity
- abuse of position
- fraud and deceit
- serious breaches of school procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)

Tarvin Primary School encourages the whistleblower to raise the matter internally in the first instance to allow those school staff and governors in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

Tarvin Primary School has designated a number of individuals to specifically deal with such matters and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter.

<b>POSITION</b>	<b>CONTACT</b>
Trust CEO	Mr Jason Lowe <a href="mailto:jlowe@tarporleyhigh.co.uk">jlowe@tarporleyhigh.co.uk</a>
Executive Headteacher	Mr Andrew Davies adavies@tarvinprimary.school
Head of School	Mrs Ruth Cadwallader <a href="mailto:rcadwallader@tarvinprimary.school">rcadwallader@tarvinprimary.school</a>
Designated Safeguarding Lead	Mrs Rebecca Elson relson@tarvinprimary.school
Trust Finance Director / Company Secretary	Mr Jonathan Hayes <a href="mailto:jhayes@tarporleyhigh.co.uk">jhayes@tarporleyhigh.co.uk</a>
Governor or Governing Body	Chair: Mr Tom Cairns tcairns@tarvinprimary.school

The whistleblower may prefer to raise the matter in person, by telephone or in written form marked private and confidential and addressed to one of the above named individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

If the whistleblower considers the matter too serious or sensitive to raise within the internal environment of the school, the matter should be directed in the first instance to Chair of the Governing Body.

The Chair of the Governing Body will ensure every effort to respect the confidentiality of the whistleblower. The Chair will ensure the school's external auditors and/or relevant officers of the Department for Education are informed if appropriate.

In addition, information and advice can be obtained from the charity Public Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows:

Public Concern at Work  
Suite 306  
16 Baldwins Gardens  
London EC1N 7RJ  
Telephone number: 0171 404 6609.

The individual(s) in receipt of the information or allegation (the investigating officer(s)) will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of school staff, legal or personnel advisors, auditors, the police and the Department for Education.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the governing body, will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral such as the police.

The whistleblower will be informed of the results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the governing body.

If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigating officer(s) and the governing body.

Wherever possible Tarvin Primary School seeks to respect the confidentiality and anonymity of the whistleblower and will as far as possible protect him/her from reprisals. Tarvin Primary School will not tolerate any attempt to victimise the whistleblower or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

Existing good practice within Tarvin Primary School in terms of its systems of internal control both financial and non-financial and the external regulatory environment in which the school operates ensure that cases of suspected fraud or impropriety rarely occur. This “whistle blowing” policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and if necessary outside the management structure of the school. This document is a public commitment that concerns are taken seriously and will be actioned.

### **Malicious Accusations**

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

### **External Sources**

Whistle blowing to an external source without first going through the internal procedure is inadvisable without compelling reasons. Compelling reasons could be the involvement of the senior leaders, serious health and safety issues or possible discrimination. The external sources which could be used are:

- Department for Education
- Member of Parliament
- National Audit Office
- Health and Safety Executive
- Police
- Trade Union
- local Citizens Advice Bureau
- relevant professional body or regulatory organisation
- HM Revenue & Customs
- the Environment Agency

If the matter is taken outside the school, individuals should ensure that they do not disclose confidential information. Whistle blowing to the media or through social media is not appropriate or permitted in any circumstances and will result in disciplinary action.

### **Confidential Employee Enquiries**

Employees may, on a confidential basis, seek prior guidance from the Headteacher if they wish to establish whether any course of conduct on their part or on the part of another employee may amount to wrongdoing under these procedures. Such enquiry will be kept confidential. The Headteacher will attempt to provide guidance on the basis of the information provided, but such guidance shall not prejudice the rights of the school or any other person under these procedures.

## **Monitoring, Evaluation and Review**

The Local Governing Body will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the school.

## **Safeguarding Children – Whistle Blowing Procedures**

This guidance is written for staff working with children and young people at Tarporley High School and Sixth Form College.

Staff must acknowledge their individual responsibility to safeguard children within their care and bring matters of concern to the attention of senior leadership and/or relevant agencies. Although this can be difficult this is particularly important where the welfare of children may be at risk.

You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you 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 children or young persons who are targeted. These children need someone like you to safeguard their welfare.

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

#### **Reasons for whistle blowing**

- 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 whistle blowing**

- 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**

- You should 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
- Try to pinpoint exactly what practice is concerning you and why
- Approach your immediate line manager, Headteacher, or the Safeguarding Lead.
- If your concern is about your immediate manager/Headteacher, or you feel you need to take it to someone outside the school, contact the Chair of Governors or the Local Authority Designated Officer (LADO).<sup>ii</sup>
- 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 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.

## **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 whistle blowing can be difficult and stressful. Advice and support is available from your line manager, HR department and/or your professional or trade union.

"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)

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<sup>i</sup> Staff includes any adult, paid or voluntary, who works in a school or educational establishment within the LA

<sup>ii</sup> Safeguarding Unit, Cheshire West and Chester, Ellesmere Port Tel: 0151 337 4645  
LADO – Local Authority Designated Officer