



Whistle Blowing Policy

Approval Requirements	Full Governing Body
Approval/Ratification Date	May 2017
Review date	May 2018
Signed – Chair of Governors	

Park Way Primary School

Whistle-Blowing Policy

Introduction

- 1.1 The staff and governors of Park Way 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, the School has established the following whistle-blowing policy, 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.
- 1.2 Where a School employee, contractor, agency worker or external third party has reasonable grounds to suspect dishonesty, illegal activities, serious negligence, inappropriate behaviour, or serious violation of School policies, this policy lets them report the issue confidentially. The policy also protects the 'reporter' from victimisation or negative reaction.
- 1.3 This policy applies to all staff, agency workers and supply staff and those contractors working on the premises, for example, cleaners, builders and drivers. It also covers suppliers and those providing services under a contract with Kent County Council (KCC).
- 1.4 Each individual has a responsibility for raising concerns about unacceptable practice or behaviour and whilst it is recognised that whistleblowing may provoke feelings of disloyalty to colleagues or that staff may fear harassment or victimisation, these feelings, however natural, must never result in the behaviour that is causing concern, continuing. As a general principle:

Don't think 'What if I'm wrong?'

Think 'What if I'm right!?'

When might the Whistle-Blowing policy apply?

- 2.1 By raising a concern someone will usually not be making a complaint about something affecting them, but will be highlighting alleged wrongdoing. Here are some examples of circumstances that may apply:
 - a) a criminal offence has been committed, is being committed or is likely to be committed
 - b) Any suspected legislative or regulatory breaches e.g. breach of contract
 - c) a miscarriage of justice has occurred, is occurring or is likely to occur
 - d) the health and safety of any individual has been, is being or is likely to be endangered
 - e) misuse of School property or equipment
 - f) damage to the environment
- 2.2 This policy should not be used for an employee's own personal complaints about how they've been treated at work. In those cases employees should use the grievance policy or another appropriate policy (e.g. equal opportunities policy).

- 2.3 This policy is also separate from the School Complaints Procedures and other statutory reporting procedures. Safeguarding and Child Protection issues should be reported according to the specific guidelines laid out in the Safeguarding Policy.

How do I raise a concern?

- 3.1 In the first instance, you should feel able to raise concerns with your line manager. You can tell them in person or put the matter in writing. Line managers are usually best placed to agree a way of resolving any concern quickly and effectively.
- 3.2 If line manager hasn't addressed the concern or you prefer not to raise it with your line manager for any reason, you should approach the Head-teacher. If your concern is about the Head-teacher, or you feel you need to take it to someone outside the School, contact the Chair of Governors or the Local Education Officer (refer to section 7.1 for their contact details).
- 3.3 When raising a concern you should give the background of the concern, including names, dates, times and places where possible, and why you're concerned about the situation. All concerns will be recorded and securely stored, then assessed on whether they are a concern that can be appropriately investigated under this policy.
- 3.4 You should only raise concerns that are made in the Public Interest; in general terms, this means that the concern falls into one of the categories shown in section 2.1. You should also have a reasonable belief in the truth of the allegation. In such cases, there will be no recrimination against the individual raising the concern, even if the allegation is not confirmed by investigation. However we reserve the right to take disciplinary action, including dismissal, against people who have raised concerns that are not in the public interest, are malicious or dishonest.

What happens next?

- 4.1 Once a concern has been raised, initial enquiries will be made to decide whether an investigation is appropriate and who will perform it. If an investigation is launched, then a decision will be made as what form the investigation should take. You will be contacted as soon as possible to discuss the concern and find out more. If a meeting is required, this can be held out of hours or off-site if necessary. A colleague or union representative can be brought to any meetings under this policy. The companion must respect the confidentiality of the concern and the investigation.
- 4.2 You will be told how we intend to deal with the matter. This is just an indication of our approach; what we want to do might not be possible. We will then try to get as much evidence as possible without notifying or 'tipping-off' any persons involved with the matter under consideration.
- 4.3 When the investigation has finished, we'll put together a report about the outcome. At that stage, you will be told the outcome, subject to any legal or other restraints. Sometimes the need for confidentiality may mean we can't provide specific details of the investigation or any disciplinary action that's come out of it. Any outcome advised should be treated as confidential. We do not commit to doing this for anonymous complaints.
- 4.4 If misconduct is discovered as a result of any investigation under this policy, we will use the School's disciplinary procedure, as well as any appropriate external measures, to handle an individual's misconduct discovered as a result of an investigation under this policy. If the misconduct comes from other parties bound by this policy (e.g. contractors or consultants), they will be dealt with under the terms of their individual contractual agreements with the School in addition to any appropriate external measures.

Confidentiality and Safeguards

- 5.1 All concerns will be dealt with in a confidential and sensitive manner and every effort will be made not to reveal the identity of persons submitting concerns unless this is unavoidable. It's possible that at a later date, the person raising the concern may need to come forward as a witness if the investigation is followed by disciplinary action.
- 5.2 There are legal protections in place for staff members who raise legitimate concerns in the public interest. These include protection from victimisation (including dismissal) or your co-workers (e.g. reprisals or bullying). The School will not tolerate harassment or victimisation and will take appropriate and necessary action to protect individuals who raise concerns in the public interest.
- 5.3 Any employee who we find has victimised or harassed an employee who has raised a concern will face disciplinary action, which can include dismissal. Likewise, any member of staff who has a concern raised against them should not be exposed to victimisation or harassment.

Anonymous Allegations

- 6.1 This policy encourages any person with concerns to identify themselves when raising concerns. Anonymous concerns will be treated seriously, but a concern expressed anonymously is much less credible and powerful and is often difficult to investigate. Anonymity often makes effective investigation difficult because we can't contact the complainant to check the information they gave.
- 6.2 As a rule, anonymous allegations will be considered and investigated at the School's discretion. When deciding whether or not to progress an anonymous concern, the factors to be taken into account would include:
 - the seriousness of the issues raised
 - the credibility of the concern (malicious allegations are more likely to be made anonymously, so consideration has to be given as to the sincerity of the concern)
 - whether we can confirm the concern from other sources.

Further advice, support and contact details

- 7.1 As noted earlier in this document, apart from your line manager and the Head-teacher, you may also raise concerns directly with:
 - Chair of Governors: Ralph Edwards (ralph.edwards@park-way.kent.sch.uk)
 - Area Education Officer: Jared Nehra (Jared.Nehra@kent.gov.uk)
- 7.2 If you feel uncomfortable raising a concern within the confines of the School and KCC, you can seek confidential, free, independent advice from the whistleblowing charity Public Concern at Work (PCAW). They have a free advice line which is managed by qualified lawyers with experience in whistleblowing law and practice. You can also email them your concerns.
 - Free advice line: +44 (0)20 7404 6609
 - Email: faq@pcaw.org.uk

- 7.3 PCAW's website has useful advice and frequently asked questions about speak ups and whistleblowing. If you believe that your concern is wholly or mainly outside the legal responsibility of the School, then you can ask PCAW to advise on the appropriate body to talk to.

Approved by the Full Governing Body on 3 May 2017