

Beaver Road Primary School

Whistle Blowing

Date	Review Date	Coordinator	Nominated Governor
June 2017	June 2018	Headteacher	Chair of Governors

We believe this policy relates to the following legislation:

- Employment Rights Act 1996
- Public Interest Disclosure Act 1998
- Public Interest Disclosure (Compensation) Order 1999
- Public Interest Disclosure (Prescribed Persons) Order 1999
- Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2003
- Enterprise and Regulatory Reform Act 2013

We agree with the Nolan Committee on Standards in Public Life that ‘whistle blowing’ is the “raising of concerns about misconduct within an organisation”. We actively encourage all School personnel to report any serious concerns about any aspect of the School or the conduct of its personnel or others acting on behalf of the school. We are committed to the highest possible standards of openness, integrity and accountability.

We believe that where the concern relates to an individual’s own employment the School’s Grievance Policy must be used. However, if the concern relates to something which is against the School’s policies, falls below standards of practice or amounts to improper conduct then the procedures in this policy must be used.

We as a School community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

Aims

- To encourage all School personnel to report any serious concerns about any aspect of the School or the conduct of its personnel or others acting on behalf of the School.
- To work with other schools to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body:

- has delegated powers and responsibilities to the Headteacher to ensure all School personnel and School volunteers are aware of and comply with this policy;
- will provide support for a member of staff who has raised a concern;
- will provide support for a member of staff against whom allegations have been made;
- must keep both parties informed of all progress during any investigation;
- will take no action against a member of staff if, after investigation, their concern has not been confirmed;
- will take disciplinary action if a concern is raised frivolously, maliciously or for personal gain;
- has responsibility for ensuring that the School complies with all equalities legislation;
- has nominated a designated Equalities governor to ensure that appropriate action will be taken to deal with all prejudice related incidents or incidents which are a breach of this policy;
- has responsibility for ensuring funding is in place to support this policy;
- has responsibility for ensuring this policy and all policies are maintained and updated regularly;
- has responsibility for ensuring all policies are made available to parents;
- has nominated a link governor to visit the School regularly, to liaise with the Headteacher and to report back to the Governing Body;
- has responsibility for the effective implementation, monitoring and evaluation of this policy

Role of the Headteacher

The Headteacher will:

- ensure all School personnel and volunteers are aware of and comply with this policy;
- encourage all School personnel to raise any concerns they have regarding actual or potential breaches of duty or a failure by the school;
- provide support for a member of staff who has raised a concern;
- provide support for a member of staff against whom allegations have been made;
- keep both parties informed of all progress during any investigation;
- work closely with the link governor;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;

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- monitor the effectiveness of this policy;
- annually report to the Governing Body on the success and development of this policy

Role of the Nominated Governor

The Nominated Governor will:

- work closely with the Headteacher and the coordinator;
- ensure this policy and other linked policies are up to date;
- ensure that everyone connected with the School is aware of this policy;
- report to the Governing Body every term;
- annually report to the Governing Body on the success and development of this policy

Role of School Personnel

School personnel have a duty to speak out against and report any:

- criminal offence that has been committed, is being committed or is about to be committed;
- person who has failed, is failing or is about to fail compliance with any legal obligation that they are subject to;
- miscarriage of justice that has occurred, is occurring or is likely to occur;
- health and safety issue that has endangered , is endangering or is likely to endanger any person;
- damage to the School environment that has been committed, is being committed or is about to be committed

School personnel, who speak out against and report any of the above, will receive support from the Governing Body. The Governing Body will give support to any member of the School personnel against whom allegations have been made.

School personnel have a duty to the School not to disclose confidential information. However, in accordance with the provisions of the Public Interest Disclosure Act 1998 this does not prevent an employee from seeking independent advice nor discussing their concern with the charity Public Concern at Work.

Raising a Concern

All raised concerns are investigated and every effort is made to ensure confidentiality for all parties.

Stage 1

- All concerns should be made in person or in writing.
- The person raising the concern may wish to receive help from their trade union representative.
- At any future meeting the employee may be accompanied by a colleague or their trade union representative.

Stage 2

- Within 10 working days the person with whom the concern has been registered acknowledges receipt in writing.
- The letter will state the following:
 - How the concern will be dealt with;
 - How long it will take to provide a final response;
 - Information on employee support services.

Stage 3

- After initial enquiries have been conducted, a decision will be made if an investigation should take place.
- The investigation will be either:
 - an internal investigation;
 - a referral to the police;
 - an external independent enquiry.

Stage 4

- The employee will be informed in writing of the outcome of the investigation by the Governing Body.
- The employee has the right to take their concern to an independent body if they feel it has not been addressed adequately.

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the School website
- meetings with School personnel
- reports such as reports to the Governing Body

Training

All School personnel:

- have equal chances of training, career development and promotion
- receive training on this policy on induction which specifically covers:
 - the School's whistle blowing procedures
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this School.

Monitoring the Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement. (See Policy Evaluation)

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Links

▪ Safeguarding & Child Protection	▪ Confidentiality
▪ Teaching Staff	▪ Support Staff

Headteacher:		Date:	Awaiting re-approval
Chair of Governing Body:		Date:	Awaiting re-approval

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Initial Equality Impact Assessment

Please complete an initial equality impact assessment once this policy has been customised to suit your purposes.

Policy Title	The aim(s) of this policy	Existing policy (✓)	New/Proposed Policy (✓)	Updated Policy (✓)
Whistle Blowing	<ul style="list-style-type: none"> To encourage all School personnel to report any serious concerns about any aspect of the School or the conduct of its personnel or others acting on behalf of the School. 		✓	

This policy affects or is likely to affect the following members of the school community (✓)	Pupils	School Personnel	Parents/carers	Governors	School Volunteers	School Visitors	Wider School Community
		Y		Y	Y		

Question	Equality Groups															Conclusion										
Does or could this policy have a negative impact on any of the following?	Age			Disability			Gender			Gender identity			Pregnancy or maternity			Race			Religion or belief			Sexual orientation			Undertake a full EIA if the answer is 'yes' or 'not sure'	
	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS		
		✓			✓			✓			✓			✓			✓			✓			✓			✓
Does or could this policy help promote equality for any of the following?	Age			Disability			Gender			Gender identity			Pregnancy or maternity			Race			Religion or belief			Sexual orientation			Undertake a full EIA if the answer is 'no' or 'not sure'	
	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS		
	✓			✓			✓			✓			✓			✓			✓			✓				✓
Does data collected from the equality groups have a positive impact	Age			Disability			Gender			Gender identity			Pregnancy or maternity			Race			Religion or belief			Sexual orientation			Undertake a full EIA if the answer is 'no' or 'not sure'	
	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS	Y	N	NS		

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on this policy?	✓			✓			✓			✓			✓			✓			✓
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Conclusion	We have come to the conclusion that after undertaking an initial equality impact assessment that a full assessment is not required.
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Preliminary EIA completed by	Date	Preliminary EIA approved by	Date

Policy Evaluation

Points to be considered	Yes	No	N/A	Please supply evidence
• Policy annually reviewed				
• Policy in line with current legislation				
• Coordinator in place				
• Nominated governor in place				
• Coordinator carries out role effectively				
• Headteacher, coordinator and nominated governor work closely				
• Policy endorsed by governing body				
• Policy regularly discussed at meetings of the governing body				
• School personnel aware of this policy				
• School personnel comply with this policy				
• Pupils aware of this policy				
• Parents aware of this policy				
• Visitors aware of this policy				
• Local community aware of this policy				
• Funding in place				
• Policy complies with the Equality Act				
• Equality Impact Assessment undertaken				
• Policy referred to the School Handbook				
• Policy available from the school office				
• Policy available from the school website				
• School Council involved with policy development				

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• All stakeholders take part in questionnaires and surveys				
• All associated training in place				
• All outlined procedures complied with				
• Linked policies in place and up to date				
• Associated policies in place and up to date				
A statement outlining the overall effectiveness of this policy				