



St. Peter's C.E. Junior School

Stilwell Close, Yateley, Hampshire GU46 6XH.

<i>Policy Number:</i> GB/11/Nov09	<i>Date Agreed:</i> 12 th November 2009
<i>Policy Title:</i> PROCEDURE FOR PROTECTED DISCLOSURES (WHISTLE BLOWING)	<i>Authorised By:</i> <u>J.H.Divall</u>
<i>Area:</i> Governing Body	<i>Due for Review:</i> November 2010
<i>The Governing Body believes that fairness and consistency of judgement is essential to the operation of the school. All members of the school have equality of opportunity to achieve their full potential and will not be discriminated against because of age, disability, gender, sexual orientation, nationality, race, or religion. The Governing Body believes that the school always has to be aware of the potential for unconscious discrimination, to avoid assumptions about individual members of the school based on stereotypes and to use the teaching and learning arrangements actively to encourage everyone to achieve their full potential.</i>	
<i>All our policies are consistent with our duty of care to protect our pupils and to provide a learning environment which is safe and healthy.</i>	
<i>In all our dealings, we respect the strict code of confidentiality that underpins our school ethos.</i>	

Philosophy:

The school believes it is every individual's responsibility to ensure that all abide by the school code of conduct.

It is therefore essential that staff who have concerns relating to possible malpractice are able to raise these concerns in a safe and supportive environment. By raising concerns staff show their responsibility towards maintaining a safe working practice environment.

Aim:

This policy aims to set out and clarify the position relating to protected disclosures – which gives protection to people who disclose reasonable concerns about serious misconduct or malpractice within the working environment at St Peter's CE Junior School. The policy is designed to operate in accordance with the provisions of the Public Interest Disclosure Act 1998.

The procedure applies to all staff, volunteers, students, supply staff and parents and it is intended to encourage staff to raise concerns within the school as a first priority, rather than make a wider disclosure outside the school.

Objectives:

- All staff should understand their individual responsibility to bring matters of concern about children, colleagues or volunteers to the attention of the Head Teacher or Leadership Team.
- The operational procedures will outline what steps staff should take should they have serious concerns.

Operational procedure:

Whistle blowing is the mechanism by which staff can voice their concerns, made in good faith, without fear of repercussions.

Examples of the types of issues that would fall within the scope of the procedure are:

- Conduct which is a criminal offence or a breach of the law
- Sexual or physical abuse of pupils or others
- Major health and safety risks, to staff or members of the public
- Fraud and/or corruption
- Other unethical conduct of a serious nature.

The procedure gives protection to people who make such a disclosure in good faith from victimisation, discrimination or disadvantage. It also ensures employees receive an appropriate response to their disclosure and are aware of how they can pursue the matter outside the County Council if this response is not satisfactory.

It is acknowledged that there are some circumstances in which there may be a statutory requirement to report information to an external agency such as the police. Confidentiality between all parties should be maintained at all times.

The Leadership Team and the Governing Body will treat all matters of malpractice very seriously and responsible allegations about such matters will be dealt with quickly, seriously and with appropriate confidentiality. Staff should specify they are making a disclosure under the 'whistle blowing' procedure. A disclosure should be underpinned with a written report.

It is advised that staff inform their professional body or trade union if they are involved in procedural disclosures. There is an entitlement for staff to be represented by their trade union at any meeting. A friend may attend – usually another employee.

There are no time limits on raising concerns but staff should be aware that a time lapse in reporting may hinder any investigation. In certain circumstances a delay may have child protection or health and safety implications.

If an allegation is made by an employee in good faith and later found to be untrue, no action will be taken against the employee.

How to raise a concern:

- Concerns should be raised with the Head Teacher or member of the Leadership Team if s/he is unavailable. There should be enough information to demonstrate to the person hearing the disclosure that there are reasonable grounds for making the allegation. Concerns should be put in writing, giving as much information as possible and noting individuals involved, dates, timings, location.
- If the allegation is about a member of the Leadership Team, then the concern should be raised with a different senior member of staff.
- Within 10 working days, there should be a written response to the employee to acknowledge that the concern has been received. This response will outline the steps that have been taken to address the issue and where possible give a time scale for resolution.

Disclosures will be treated in confidence. It is difficult to act on anonymous disclosures as generally there may not be sufficient information to make an assessment of the credibility of the disclosure.

Resulting action:

- Following a disclosure under this procedure, enquires will be made to establish the validity of the allegations. If they are found to be true the following action may include:
 - The Head Teacher or Leadership Team member may take advice from Personnel Services at the County.
 - A full internal investigation, possible resulting in disciplinary action.
 - Referral to Children's Services or the police.
 - Referral to the internal auditors or other County departments.
- The employee who raised the concern will be informed of the outcome of the investigation if legal constraints allow.
 - This will NOT include confidential details about disciplinary action taken against another employee.
- For reasons of confidentiality, all communications in writing will be sent to the employees home address unless an alternative arrangement has been mutually agreed.

Taking matters further:

- Should the employee feel that their concerns has not been resolved satisfactorily, they may write to the Chair of the Governing Body who will set up a small group of governors to investigate the concerns.
- A similar time frame will operate as in the earlier schedule.
- In the event that the matter is still not resolved to the satisfaction of the employee, s/he may raise the concerns in writing to the County Council Education Department in the following order.
 - With the Strategic School Improvement Manager.
 - With the County Education Officer
 - With the Chief Executive.

These officers will follow the procedures outlined earlier.

This policy should be read in conjunction with school policies on Child Protection and Confidentiality and the School Code of Conduct.

Hampshire County Council offers published Guidelines and staff may seek clarification from these publications. The Finance Officer can direct staff to specific guidelines that may amplify this policy.

The following guidelines may be of specific interest:

- *Guidance for Safe Working Practice for the Protection of Children and Staff in Education Settings. (2005)*
- *Appendix J: Hampshire Guidelines for the avoidance of unnecessary contact and unfounded allegations.*
- *Manual of Personnel Practice, vol 1, section 4: (Public Interest Disclosure Act 1998)*

More detailed guidance can be found at: www.teachernet.gov.uk/childprotection