

Elmsett C. of E. V.C.P. School



Whistleblowing Policy

**Adopted by the Governing Body at the full
committee meeting held on**

Signed:

Terry Smyth, Chair of Governors



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Document Control

Updated:	February 2013
Person responsible:	Headteacher
Written by:	Headteacher with Resources Committee
Monitored by:	Headteacher
Reviewed by:	Resources Committee
Next review:	5 years or as needs dictate

1. What is Whistle Blowing?

In May 1996, under the Chairmanship of Lord Nolan, the *Second Report of the Committee on Standards in Public Life: Local Public Spending Bodies* was published. One of its recommendations was that: "Local public spending bodies should institute codes of practice on whistle blowing, appropriate to their circumstances, which would enable concerns to be raised confidentially inside and, if necessary, outside the organisation." (*Recommendation 2, Second Report.*)

The Nolan Committee used the term 'whistle blowing' to mean the confidential raising of problems or concerns within an organisation or within an "independent review structure" associated with that organisation and not in the pejorative sense of leaking information or telling tales. In the case of a school the parent LA would be regarded as the "independent review structure", with the school being the organisation. It is important to draw distinction at this stage between matters of impropriety that follow the whistle blowing provisions (for example some sort of breach of law, school procedures or ethics) and matters of more general grievance, which would be dealt with under the staff grievance procedures.

2. Why is it important to schools?

Schools and their parent LAs are covered by the Public Interest Disclosure Act 1998 which added legal backing to the Nolan proposals. To quote from the Act itself, it is: "An Act to protect individuals who make certain disclosures in the public interest; to allow such individuals to bring action in respect of victimisation; and for connected purposes."

Following on from the Act, each LA has developed its own Whistle Blowing policy to provide protection for individuals who disclose malpractice and wrongdoing. This policy will apply to the school and it would be appropriate for the governing body to consider the LAs policy and endorse procedures for school staff and ensure its staff are made aware of its existence. In particular, they should be made aware of:

- The categories of staff to who the protection is available
- The areas of malpractice and wrongdoing that are covered
- The routes available within the LA for raising issues
- What does Whistle Blowing cover?
- Malpractice and wrongdoing will include the following, but the precise coverage and terms used will vary from LA to LA:

- Any unlawful act, whether criminal or a breach of civil law
- Maladministration, as defined by the Local Government Ombudsman
- Breach of any statutory Code of Practice
- Breach of, or failure to implement or comply with Financial Regulations or Standing Orders
- Any failure to comply with appropriate professional standards
- Fraud, corruption or dishonesty
- Actions which are likely to cause physical danger to any person, or to give rise to a risk of significant damage to property
- Loss of income to the school
- Abuse of power, or the use of the school's powers and authority for any unauthorised or ulterior purpose
- Discrimination in employment or the provision of education
- Any other matter you consider you cannot raise by any other procedure

3. Where to find further information?

Further information should initially be sought from the staff appointed by the LA to deal with Whistle Blowing. This will almost certainly be on a confidential basis.

However, there are circumstances when individuals may wish to seek independent advice before taking a matter forward through the formal channels at their LA. The charity Public Concern at Work provides free confidential advice to workers who have concerns about wrongdoing in the workplace.

To contact Public Concern at Work, write to:

Suite 306
16 Baldwins Gardens
London
EC1N 7RJ
Tel: 020 7404 6609
Website: <http://www.pcaw.org.uk/>
Email: whistle@pcaw.demon.co.uk