A tree in the grass

Description automatically generated

**Ysgol Tanyfron**

**Whistleblowing**

**Policy**

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| Date reviewed and updated: | May 2024 |
| Signed By Chair of Governors: |  |
| Signed By Headteacher: |  |
| Date Approved: |  |
| Document to be next reviewed: |  |

A group of kids in a fenced in area

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**Whistleblowing Policy**

**School’s full address and postcode:**

*Ysgol Tanyfron Primary School, Tanyfron Road, Tanyfron, Wrexham, LL11 5SA*

**School’s phone number (including area code):**

*01978 758118*

**School’s email address:**

[*mailbox@tanyfron-pri.wrexham.sch.uk*](mailto:mailbox@tanyfron-pri.wrexham.sch.uk)

**Website address for this policy:**

[*www.ysgoltanyfron.co.uk*](http://www.ysgoltanyfron.co.uk)

**Person responsible for maintaining this policy: Headteacher**

**‘Whistleblowing’ Policy**

# **Definition & Legal Context**

Whistleblowing is the means by which an employee can raise concerns with a third party, often with his or her employer. This means that all members of staff are able to raise concerns about conduct or practice within the school, which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice and be able to do so without fear of victimisation and with confidence that their concerns will be taken seriously and dealt with properly.

Statutory protection for employees who whistleblow is provide by the **Public Interest Disclosure Act 1998 (PIDA).**

# **Aims & Scope**

The procedure should:

* give confidence to members of staff about raising concerns
* provide members of staff with ways of raising concerns
* ensure staff receive a response to their concerns they have raised and feedback on any taken
* offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken in good faith.

The procedure covers:

* unlawful conduct
* miscarriages of justice in the conduct of statutory or legal obligation
* maladministration, misconduct or malpractice
* health and safety issues including risks to the public as well as risks to pupils and members of staff
* action that has caused or is likely to cause danger to the environment
* abuse of authority
* unauthorised use of public or other funds
* fraud or corruption
* breaches of financial regulations or policies
* mistreatment of any person

Whistleblower’s Safeguard Against Reprisal Harassment and Victimisation

The governing body recognises that the decision to whistleblow can be a difficult one for a member of staff but it is in the long-term interests of the school that concerns are addressed. The governors will encourage an ethos so that staff feel able to raise concerns. The PIDA provides protection to employees where their disclosure can be classed as protected disclosure.

## **Confidentiality**

The governing body will do its utmost to protect the identity of the member of staff who raises a concern but the person disclosing needs to realise it may, in the course of an investigation be necessary to name sources and an employee could be called to give evidence in court.

## **Anonymous Allegations**

The governing body will encourage staff to put their names to allegations whenever possible, anonymous allegations are much less powerful. They will be considered under this procedure but the following will be taken into amount:

* the seriousness of the issue raised
* the credibility of the concern
* the likelihood to confirm the allegations from attributable sources

# **Untrue and Malicious/Vexatious Allegations**

If an allegation is made in good faith but not confirmed then the matter will be closed. If the allegation was malicious and or vexatious or made for personal gain then the governing body will consider taking disciplinary action.

# **Allegations Concerning Child Protection Issues**

If a member of staff raises a concern related to a child protection issue, the Headteacher, or Chair of Governors will contact Social Services and/or SPOA (Single Point of Access)

# **Procedure for Making a Whistleblowing Allegation**

The concern should be raised with the Headteacher or if it is about the Headteacher with the Chair of Governors. If it is felt this cannot be implemented through the School there is a list of organisations on Page 33 of ‘Procedure for Whistleblowing in School and Model Policy’ December 2007 Guidance Circular No 036/2007

If the concern needs to have police or other statuary authority involvement, the whilstleblowing process will be halted until the authorities have completed their investigations and confirmed that it is appropriate to continue with the whilstleblowing process

# **Response to Whistleblowing**

The matter raised may:

* need inquiry internally in the school
* need to be passed to the Police if it relates to alleged criminal activity
* passed to the LEA officer who deals with finance – management/propriety
* LEA officer designated to lead on child protection or socials services

At this stage concerns/allegations are neither accepted nor rejected

# **Timescale for Response**

The Headteacher or Chair of Governors will provide a written response **within 5 working days** (except in the case of anonymous allegations):

* Acknowledging that the concern has been received
* Indicating how it is proposed to deal with the matter
* Giving an estimate of how long it will take to provide a final response
* Advising whether any enquires have been made
* Advising whether further enquires will take place
* Informing the whistleblower of support available whilst matters are looked into
* Maintaining confidentiality wherever possible but also explaining that it may not be possible for anonymity to be kept.

# **The Inquiry Process**

The Headteacher or Chair of Governors will:

* Look into the allegation – seeking evidence and interviewing witness as necessary
* Maintain confidentiality whenever possible but will be mindful that guarantees cannot be given
* If appropriate bring the matter to the attention of the LEA appointed person with responsibility for financial management.
* If appropriate for concerns of criminal behaviour refer the matter to the Police
* If appropriate refer the matter to the children protection officer at social services or MASH

If the person appointed by the governing body needs to talk to a member of staff they are permitted to have trade union official or professional association representative or fellow members of staff not involved their area of work.

The target is to complete the inquiry **within 10-15 working days** from the date of the initial written response.

**The Inquiry Report**

A written report should be submitted to the Chair of Governors within 5 working days of completion. The whistleblower’s name will not be stated unless that has been requested.

The chair will then convene a meeting of at least one other governor and an independent person from outside the governing body. This should normally take place **within 5-10 working days** following receipt of the inquiry report.

Following notification of the committee’s decision, the chair will notify the whistle-blower of the outcome normally within 5 working days.

**Taking the Matter Further**

If no action has been taken and the person is not satisfied with the way the matter has been dealt with it can be raised under the governors’ complaint procedure or to the organisations listed on page 33 of the booklet.

This policy is designed to provide basic guidance. Please refer to Welsh Assembly Government Circular No 036/2007 for more detail.