



# **Templemoor Infant and Nursery School**

## **Whistleblowing Policy**

Policy Adopted	26 <sup>th</sup> February 2019
Committee	Full Governing Body
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## **Templemoor Infant and Nursery School Whistleblowing Policy 2021 to 2022**

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#### **1. Policy Statement**

Part IV of the Employment Rights Act 1996 (ERA 1996) inserted by the Public Interest Disclosure Act 1998 (PIDA) provides a framework of protection against detriment or dismissal in connection with 'blowing the whistle' on illegal practices in the workplace.

The staff and governors of Templemoor Infant and Nursery School seek to run all aspects of school business activities with full regard for high standards of conduct and integrity.

In the event that school staff, parents, governors or the school community at large become aware of activities which give cause for concern, Templemoor Infant and Nursery School has established the following whistleblowing policy, or code of practice, 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.

Throughout this policy, the term whistleblower denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord

Nolan as recommended in the Second Report of the Committee on Standards in Public Life: Local Spending Bodies published in May 1996.

Templemoor Infant and Nursery School is committed to tackling fraud and other forms of malpractice and treats these issues seriously. We recognise that some concerns may be extremely sensitive and have therefore developed a system which allows for the confidential raising of concerns within the school environment but also has recourse to an external party outside the management structure of the school.

Templemoor Infant and Nursery School is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

## **2. Scope**

This policy applies to all employees of the School. However, the Act also covers those contractors working for the School on its premises. It also covers suppliers and those providing services under a contract with the School in their own premises. Consultants, casual workers and agency workers are also covered. The term 'individual' used throughout this document is used to include all the above.

## **3. Principles**

This policy is in addition to the School's complaints procedure and other statutory reporting procedures, and seeks to encourage individuals to raise concerns internally within the organisation. If an individual is unsure whether or not to use protected disclosure provisions, or if an individual needs independent advice at any stage, he/she can contact 'Protect, Speak Up, Stop Harm', which is an independent charity that can provide free confidential advice at any stage on how to raise a concern about serious malpractice at work. Please refer to Appendix 1 for further details.

## **4. What is Whistleblowing?**

A 'qualifying disclosure' or whistleblowing is any disclosure of information that is made in the public interest and, in the reasonable belief of the individual, relates to suspected wrongdoing or dangers at work which is either happening at the present time, took place in the past or is likely to happen in the future. The type of activity or behaviour which Templemoor Infant and Nursery School considers should be dealt with under this policy includes:

- Manipulation of accounting records and finances
- Inappropriate use of school assets or funds
- Decision-making for personal gain
- Any criminal activity
- Abuse of position
- Safeguarding concerns
- Fraud and deceit
- Serious breaches of school procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)

## **5. Grievances**

There is an existing School policy and procedure in place to enable staff to raise grievances about their own employment. In these cases, the Whistleblowing Procedure is not the right document and you should use the School's Grievance Procedure instead. An individual does not have to raise a grievance in order to make a 'protected disclosure. However, if the individual intends to raise the matter as a grievance, this intention must be clearly stated.

## 6. Protection and Support for Whistleblowers

In making the disclosure in the public interest, an individual must have a reasonable belief that the information disclosed shows one or more of the offences or breaches listed in section 4. The belief need not be correct, but the individual must show that they held the belief and that it was a reasonable belief, in the circumstances, at the time of the disclosure.

Individuals are encouraged to come forward with genuine concerns in the knowledge that they will be taken seriously (even if they turn out to be mistaken). The School recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those responsible for the malpractice. As far as possible the School will seek to respect the confidentiality and anonymity of the individual raising the concern and will seek to protect him/her from reprisals. In this regard, the School will not tolerate any detrimental treatment of the individual who has raised the concerns, nor will any attempt to prevent individuals from raising concerns be acceptable. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern.

If someone believes that they have suffered any such treatment, they should report this immediately. If the matter is not remedied they should raise it formally using the School's Grievance Procedure or Complaints Procedure as appropriate. Threats or retaliation against whistleblowers will not be tolerated. Any person involved in such conduct may be subject to disciplinary action.

## 7. Confidentiality

When an individual raises a concern but does not want their name to be disclosed, the School will do its best to protect his/her identity. However, if it is felt that a formal investigation process may be necessary, a statement may be required from the individual to form part of the evidence, otherwise it might not be possible to proceed with further action. We will discuss this with you.

One of the aims of this policy is to encourage individuals to put their name, with confidence, to any allegation whenever possible. The School does not encourage individuals to make disclosures anonymously. Proper investigation may be more difficult or impossible if it cannot obtain further information from you. Concerns expressed anonymously are much less credible, but they may be considered at the School's discretion.

When considering anonymous allegations, a number of factors would be taken into account and may include:

- the seriousness of the issue raised;
- the credibility of the concern;
- the likelihood of being able to confirm that the allegation is from identifiable sources; or
- the ability to trace the source of unfounded or malicious allegations.

## 8. Raising a Concern with the School

Templemoor Infant and Nursery School encourages the whistleblower to raise the matter internally in the first instance to allow those staff and governors in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

We have designated a number of individuals to specifically deal with such matters and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter.

Name and Position	Contact Details
Stuart Hodgson - Headteacher	Templemoor Infant and Nursery School, Nursery Close, Sale, M33 2EG Tel: 0161 969 1622
Shirley Brown – Deputy Headteacher	Via the above address
Judith Davenport – Chair of Governors	Via the above address

The whistleblower may prefer to raise the matter in person, by telephone or in written form marked private and confidential and addressed to one of the above named individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible. Alternatively if the whistleblower considers the matter too serious or sensitive to raise within the internal environment of the school, the matter should be directed in the first instance to the Local Authority's Head of Audit. The Local Authority has its own procedures for dealing with such matters and will ensure every effort to respect the confidentiality of the whistleblower.

In addition, information and advice can be obtained from the charity Public Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows:

Protect, Speak Up, Stop Harm  
The Green House  
244-254 Cambridge Heath Road  
London E2 9DA

Telephone number 020 3117 2520 Mondays, Tuesdays, Thursdays: 9:30am – 1pm, 2pm – 5:30pm;  
Wednesdays and Fridays: 9:30am – 1pm.

Website: <https://protect-advice.org.uk/contact-protect-advice-line/>

## **9. Raising Concerns about Safeguarding Children**

The school follows the procedures recommended by the Trafford Strategic Safeguarding Partnership when dealing with safeguarding allegations made against staff and volunteers.

All safeguarding allegations made against a member of staff and volunteers, including contractors or staff working on site, will be dealt with quickly and fairly and in a way that provides effective protection for the child while at the same time providing support for the person against whom the allegation is made.

If an allegation is made or information is received about any adult who works in our setting which indicates that they may be unsuitable to work with children, the member of staff receiving the information should inform the Headteacher immediately. This includes concerns relating to agency and supply staff and volunteers. Should an allegation be made against the Headteacher, this will be reported to the Chair of Governors and the Local Authority Designated Officer (LADO). In the event that neither the Headteacher nor Chair of Governors is not contactable on that day, the information must be passed to and dealt with by either the member of staff acting as Headteacher or the Vice Chair of Governors.

The Headteacher or Chair of Governors will seek advice from the LADO within one working day. No member of staff or the governing body will undertake further investigations before receiving advice from the LADO.

Any member of staff or volunteer who does not feel confident to raise their concerns with the Headteacher or Chair of Governors should contact the LADO directly on 0161 912 5010

The School has a legal duty to refer to the Disclosure and Barring Service anyone who has harmed, or poses a risk of harm, to a child, or if there is reason to believe the member of staff has committed one of a number of listed offences, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left. The DBS will consider whether to bar the person. If these circumstances arise in relation to a member of staff at our school, a referral will be made as soon as possible after the resignation or removal of the individual in accordance with advice from the LADO and/or HR.

Name and Position	Contact Details
Anita Hopkins – Local Authority Designated Officer (LADO)	Anita.Hopkins@trafford.gov.uk Tel: 0161 912 5010
NSPCC Whistleblowing Hotline	Tel: 0800 028 0285 Email: <a href="mailto:help@nspcc.org.uk">help@nspcc.org.uk</a> <a href="https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/">https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/</a>

## 10. Investigation and Outcomes

The individual(s) in receipt of the information or allegation [the investigating officer(s)] will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of school staff, legal or personnel advisors, the Local Authority, the police, the Department for Education.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the governing body, will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral such as the police.

The whistle-blower will be informed of the results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the governing body and the Local Authority.

## 11. Raising unfounded or malicious concerns

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

## 12. Dissatisfaction with a Response

If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigating officer(s), the governing body and/or directed to the Local Authority.

Where the concern is of a particularly serious nature and the individual remains dissatisfied, the individual may feel that it is more appropriate to take the matter outside of the School. If an individual would like independent advice about how to raise serious concerns constructively, then he/she should contact Protect, Speak Up, Stop Harm.

There are a number of bodies which have been prescribed by the Secretary of State for the purpose of receiving disclosures. Further details can be found on the GOV.UK website: [www.gov.uk/whistleblowing](http://www.gov.uk/whistleblowing).

The individual must believe that the information given and the allegations made are substantially true and ensure that they are not acting for personal gain.

If an individual does take the matter outside of the School, they must ensure that they do not disclose confidential information which is unrelated to the issue being raised.

In making a disclosure outside of the School to a prescribed body, individuals should be aware that the disclosure must be made to an appropriate prescribed person or organisation and the individual must believe that the information disclosed and any allegations made are true.

### **13. External Disclosures**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases the individual should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for the individual to report concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. The School strongly encourages the individual to seek advice before reporting a concern to anyone external.

Nevertheless, the individual may wish to raise a concern with the School through the bodies cited by the Secretary of State for the purpose of receiving disclosures and referred to the preceding section or to the relevant officers within Trafford cited in Section 8, for example if the concern involves the Head Teacher or a Governor.

The investigating officer/s involved will treat this information confidentially and will take appropriate action to investigate the concerns or allegations made. If an individual has not provided his/her name, he/she will be given the opportunity to contact the external body for an update. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation of any disciplinary action taken as a result. Any information about the investigation should be treated as confidential.

### **14. Responsible Officer**

The Whistleblowing Officer, who in this school is the Head Teacher, has day-to-day operational responsibility for this policy, and must ensure that all School Leaders and other staff who may deal with concerns or investigations under this policy receive regular support. All school staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

## **Appendix 1 – Advice and Information**

### **Protect, Speak Up, Stop Harm**

Protect aims to make whistleblowing work for individuals, organisations and society. Every year, they support around 3,000 whistleblowers who call their Advice Line. In addition, they work with organisations on improving their speak up arrangements and campaign for better legal protection of whistleblowers.

#### **Telephone:**

Protect Advice Line: 020 3117 2520 (\* option 1)

#### **Email**

Protect Advice line: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)

#### **Address**

The Green House  
244-254 Cambridge Heath Road  
London E2 9DA

**Hours**

The office is open and the helpline is staffed from Mondays, Tuesdays, Thursdays: 9:30am – 1pm, 2pm – 5:30pm; Wednesdays and Fridays: 9:30am – 1pm. There is an answering machine out of hours. If you need to speak to us outside office hours, please contact us to arrange a convenient time for one of our advisers to contact you, or complete the online form on our website (see below for website).

Website: <https://protect-advice.org.uk/contact-protect-advice-line/>

**Advisory, Conciliation and Arbitration Service (ACAS)**

ACAS operates a nationwide network of helplines which deal with queries about employment matters, including the rights and obligations arising out of employment law. The service is available to any individual or organisation free of charge. Any worker who contacts ACAS will wish to bear in mind the distinction between seeking information about the provisions of the Public Interest Disclosure Act 1998, and the requirements attached to making a protected disclosure.

General Helpline number 0300 123 1100

**NSPCC**

NSPCC Whistleblowing Helpline

Telephone: 0800 028 0285

<https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/>

**Local Authority Designated Officer**

Anita Hopkins – Local Authority Designated Officer (LADO)

Email: [Anita.Hopkins@trafford.gov.uk](mailto:Anita.Hopkins@trafford.gov.uk)

Telephone: 0161 912 5010