

Grove Road  
Houghton Regis  
Bedfordshire  
LU5 5PE

**Telephone**  
01582 863516

Silver Birch Avenue  
Houghton Regis  
Bedfordshire  
LU5 5QJ

**Telephone**  
01582 863516



**Head Teacher:**  
Mrs Bernice Waite  
**Deputy Head**  
Mr Chris Gunning

**Email:**  
[schooloffice@thornhillprimary.co.uk](mailto:schooloffice@thornhillprimary.co.uk)  
**Website:** [www.thornhill-primary.co.uk](http://www.thornhill-primary.co.uk)

*'Empowering children through sustainable, diverse, arts-enriched education'*

## Revision and Approval

Rev	Date	Nature of Change	Approved by Head Teacher	Integrity Checked	Next Review Date
01	October 2021	Original Issue	October 2021	<input checked="" type="checkbox"/>	October 2023
02	October 2023	New letterhead	October 2023	<input checked="" type="checkbox"/>	October 2024

## Whistle Blowing Policy

### 1. Introduction

1.1 This policy has been adopted from Central Bedfordshire Councils confidential reporting code. Also known as 'Whistle Blowing' July 2013 which was last updated in September 2018. Thornhill Primary School is committed to the highest possible standards of openness, probity and accountability. In line with commitment we expect employees and others that we deal with who have serious concerns about any aspects of school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

1.2 Employees are often the first to realise that there may be something seriously wrong within the school. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

1.3 The Public Interest Disclosure Act 1998 encourages individuals to raise concerns about malpractice in the workplace and this policy makes it clear that employees can raise serious concerns without fear of victimisation, subsequent discrimination or disadvantage and is intended to encourage and enable employees to raise those concerns within the school or Local Authority (Central Bedfordshire Council) rather than overlooking a problem.

1.4 This code acknowledges the amendments recently made to the Public Interest Disclosure Act by the introduction of the Enterprise and Regulatory Reform Act 2013.

1.5 The code applies to all employees and those contractors working for the school on school premises, for example, supply staff and contractors. It also covers suppliers and those providing services under a contract with the school in their own premises, for example the catering company. Members of the public are also encouraged to raise concerns, which will be responded to in accordance with this code.

1.6 These procedures are in addition to the school's complaints procedures and other statutory reporting procedures.



## 2. Aims and Scope of this Code

### 2.1 This code aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues for you to raise those concerns and receive feedback on any action taken
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that any disclosure is made in the public interest.

2.2 The Confidential Reporting Code is intended to cover major concerns that fall outside the scope of other policies and procedures (such as the Grievance procedure, which is in place to enable you to lodge a grievance relating to your own contract of employment). Personal grievances (e.g. bullying, harassment, discrimination) are not usually covered by whistleblowing law, unless your particular case is in the public interest. If it is felt that a concern raised under the Confidential Reporting Code should more properly be dealt with under the provisions of another policy, the whistle-blower will be referred to that policy. Advice from relevant officers should be sought where required.

Those major concerns that fall outside of the policies and procedures are called 'qualifying disclosures'. A qualifying disclosure is one made in the public interest by some-one who has reasonable belief that any of the below matters are being, has been or is likely to be, committed:

- conduct which is an offence or breach of law
- disclosures related to miscarriages of justice
- health and Safety risks, including risks to the public as well as other employees
- damages to the environment
- the unauthorised use of public funds
- possible fraud and corruption, including bribery
- sexual or physical abuse of clients, or
- other unethical conduct
- covering up of any of the above

When managers are made aware of suspected fraud by employees, they have responsibilities for passing these concerns to the Head of Internal Audit and Risk (see Further Information below). Managers should react urgently to allegations/evidence of potential fraud or corruption. Head Teachers should also notify their Chair of the Governing Board, HR provider and legal insurers.

Refer to CBC's Anti-Fraud and Corruption Policy Statement & Strategy for more information.

2.3 Therefore, any serious concerns that you have about any aspect of service provision or the conduct of employees of the school or others acting on behalf of the school can be reported under the Confidential Reporting Code. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the school subscribe to;
- or is against the school's policies; or
- falls below established standards of practice: or
- amounts to improper conduct

2.4 This code does not replace the school's complaint procedure which is in place to address complaints about the school.



2.5 The school encourages you to raise your concerns under this procedure in the first instance. If you are not sure whether or not to raise a concern, you should discuss the issue with your line manager, trade union representative, Head Teacher or Chair of Governors.

2.6 Individuals who make a public interest disclose 'whistle blow' within the context of protections provided within the Employments Rights Act 1996 would normally be expected to first raise the issue with their employer directly. However, they can also make disclosures to persons or bodies. The Government has recently updated the List of prescribed persons and bodies. Under the list, individuals need or raise the issue with the correct prescribed person for the sector or industry concerned. Across sectors and industries, there are over 80 persons and bodies listed, a number of them relating to local authorities depending on their areas of responsibility. Guidance in the list also provides information for individuals to help them identify the relevant auditor for a particular local authority.

### **3. Safeguards - Harassment & Victimisation**

3.1 The school is committed to good practice and high standards and wants to be supportive of employees and others covered by this code.

3.2 The school recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, and you have reasonable belief that the disclosure is being made in the public interest, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

3.3 The school will not tolerate any bullying, harassment or victimisation (including informal pressure) by managers and colleagues and will take appropriate action to protect you when you raise a concern in the public interest. Victimisation of a worker for raising a qualifying disclosure will be a disciplinary offence.

3.4 If you report your concerns via a disclosure you have the right not to be dismissed or subjected to any other detriment because of it.

3.5 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary, sickness, capability or redundancy procedures that already affect you or may affect you in the future.

### **4. Confidentiality**

4.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. However, it must be appreciated that the investigation process may reveal the source of information and a statement by the whistle blower may be required as part of the evidence. This may mean that witness statements or correspondence is also disclosed. In these situations, the school will contact you and additional witnesses to advise of this and to offer any guidance where necessary.

4.2 The school may need to reveal your identity and disclose information where there are legal proceedings following on from the whistleblowing disclosure and as above will inform you prior to this information being released.

4.3 If the school feels for example that allegations relate to serious criminal offences which the Police should investigate we may also be required to disclose your identity to third parties.

### **5. Anonymous Allegations**

5.1 This code encourages you to put your name to your allegation wherever possible.



5.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the school. You should remember that wherever possible, confidentiality will be preserved.

5.3 In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the allegation: and
- the likelihood of confirming the allegation from attributable sources

5.4 Anonymous whistle-blowers should bear in mind that, if they do not make their name known, the Head Teacher or Chair of Governing Board will not know whose identity to keep confidential. It will also not be possible to provide direct feedback to them on the progress and outcome of any investigations.

## **6. False or Unproven Allegations**

6.1 Where it is established, after investigation, that the allegations are unproven, the whistle blower will be notified. The school will deem the matter closed and will not expect the issue to be raised again unless new evidence becomes available.

6.2 If you make an allegation which you believe to be in the public interest, but it is not confirmed by the subsequent investigation, no action will be taken against you. If however, you make an allegation maliciously or for personal gain, disciplinary action may be taken against you. (The school will manage such situations using its agreed disciplinary procedure).

## **7. How to Raise a Concern**

7.1 As a first step, you should normally raise concerns with your immediate manager or their superior. This depends however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved you should approach the Deputy Monitoring Officer or the Head of Internal Audit and Risk at Central Bedfordshire Council (see Further Information below).

7.2 Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- the background and history of the concern (giving relevant dates)
- the reason why you are particularly concerned about the situation
- and providing as full and comprehensive information as is known at the time of the disclosure

If you raise your concern verbally, a written note will be taken in accordance with the above format. All concerns will be registered with the Head Teacher.

7.3 The earlier you express the concern the easier it is to take action.

7.4 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

7.5 Advice and guidance on how matters of concern can be pursued can be obtained from:

- The Head Teacher (Thornhill Primary School)
- The Chair of Governors (Thornhill Primary School)
- The Deputy Monitoring Officer (Central Bedfordshire Council)
- Head of Internal Audit & Risk (Central Bedfordshire Council)

7.6 You may wish to consider discussing your concern with a colleague or your trade union representative first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns. However, once you have raised a concern



under the Confidential Reporting Code you should be mindful that any further discussions with other parties may impede the maintenance of confidentiality or compromise any investigation.

7.7 You may invite your trade union or friend to be present during any meetings or interviews in connection with the concerns you have raised.

## **8. How the School Will Respond**

8.1 The school will respond to your concerns. Do not forget that testing out your concerns is not the same as adjudicating the validity of them.

8.2 Where appropriate the matters raised may:

- be investigated thoroughly by management, internal audit, or through the disciplinary process
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry

8.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquires will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the school will have in mind, is the public interest. Concerns or allegations, which fall within the scope of specific procedures (for example, child protection or discrimination issues), will normally be referred for consideration under those procedures.

8.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

8.5 Within ten working days of a concern being raised, the Head Teacher will write to you:

- acknowledging that the concern has been received
- indicating how we propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling you whether any initial enquires have been made
- supply you with information on staff support mechanisms, and
- telling you whether further investigations will take place and if not, why not

8.6 The amount of contact between those considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the school will seek further information from you.

8.7 Where any meeting is arranged, off-site if you so wish, a union or professional association representative or a friend can accompany you.

8.8 The school will take steps to minimise any difficulties, which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the school will arrange for you to receive advice about the procedure.

8.9 The school accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcomes of any investigation.

## **9. The Responsible Officer**

9.1 The Head Teacher has overall responsibility for the maintenance and operation of this code. That officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Governing Board or Local Authority. They will also ensure that proper and timely progress is made in dealing with any complaint and that the principles and requirements of this code are met.



## **10. How The Matter Can Be Taken Further**

10.1 This code is intended to provide you with an avenue within the school to raise concerns. The school hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside of the school, possible contacts points are set out below under 'Further Information'.

10.2 Before taking matters outside of the school you may wish to take independent advice and the charity Protect (formerly known as Public Concern at Work) offers such facilities to employees. They can be contracted through their website [www.pcaw.org.uk](http://www.pcaw.org.uk) or via their telephone number 0207 404 6609 which is operated Monday to Friday, 9.00am to 6.00pm.

10.3 The following are other possible external contact points

- the Council's external auditor
- your trade union/professional association representative
- your local Citizens Advice Bureau
- relevant professional bodies or regulatory organisations
- a relevant voluntary organisation
- the police

10.4 If you do take the matter outside of the school, you should ensure that you do not disclose confidential information.

