RYECROFT C. E. MIDDLE SCHOOL

POLICY STATEMENT

WHISTLEBLOWING
Whistleblowing policy

Staffordshire County Council is committed to operating with honesty and integrity. We expect all colleagues to operate on this basis and to adhere to the council’s policies, procedures and code of conduct. Fraud, misconduct or wrongdoing will not be tolerated.

The aim of this policy is to encourage colleagues to report suspected wrongdoing internally rather than externally as a first resort. Any concerns raised under this policy will be treated seriously and dealt with confidentially.

Any colleague raising a concern under this policy will not be treated less favourably for raising concerns as outlined in this procedure. This means that any colleague who raises a concern under this policy will not be subjected to a detriment nor will they be dismissed for doing so. Any reference to ‘the Council’ refers to Staffordshire County Council. This policy applies to employees of Staffordshire County Council, referred to in this policy as colleagues including agency workers, trainees or anyone working on a casual basis.

The policy and procedure applies to all colleagues, regardless of length of service, but does not form part of the contract of employment and can be varied from time to time.

What is whistleblowing?

Whistleblowing is when a worker reports suspected wrongdoing at work.

For example

- A criminal offence; and/or
- A miscarriage of justice; and/or
- Damage to the environment; and/or
- Breach of a legal obligation; and/or
- A danger to health and safety; and/or
- A deliberate concealment of any of the above

A colleague can report things that are not right, are illegal or if anyone at work is neglecting their duties, including:

- someone’s health and safety is in danger
- damage to the environment
- a criminal offence
- the company isn’t obeying the law (like not having the right insurance)
- covering up wrongdoing

A colleague who has a reasonable belief that a wrongdoing has or may be committed and raises a genuine concern relating to any of the above, is a whistleblower and is protected under this policy.

Approved by Governors: Spring 2018
Review Date: Spring 2020
The Council will, at its discretion, consider disclosures that are made anonymously, although such disclosures are inevitably much less powerful. The Council will also treat every disclosure in confidence, and only reveal the identity of the person making it if absolutely necessary (e.g. if required in connection with legal action).

Rights of the Whistleblower

All colleagues are encouraged to use this policy to raise genuine concerns and will not be treated less favourably for doing so, even if they are mistaken in their belief.

Any colleague who raises a concern under this policy will not be subjected to a detriment nor will they be dismissed for doing so. Any colleague who believes that they have been subjected to a detriment for raising a complaint should raise the matter with the named Monitoring Officer.

Victimisation of a whistleblower by any other colleague for raising a concern under this policy will in itself constitute a disciplinary offence.

Where the Council believes that a colleague has knowingly made a false allegation or acted maliciously, the colleague will be subject to disciplinary action, which may include dismissal for gross misconduct.

This policy does not deal with any complaints relating to a colleague’s own treatment at work or own contract of employment. Those matters should be raised under the Grievance procedure or the Bullying and Harassment procedure, as appropriate.

An exception to this will be when the matter of concern arises from the colleague’s own treatment at work that is arising from the whistleblowing matter they have raised previously.

Making a Whistleblowing Complaint

To make a whistleblowing complaint the whistleblower has to meet certain conditions.

If the disclosure is made to the Council, it must be in the public interest and the person making the complaint (“the whistleblower”) has a reasonable suspicion that the alleged malpractice has occurred, is occurring or is likely to occur.

If the disclosure is made to a regulatory body then as well as satisfying the conditions required for disclosure to the council, the whistleblower must also honestly and reasonably believe that the information they provide and any allegations contained in it are substantially true.

For example, a colleague will be eligible for protection if:

- they honestly think what they’re reporting is true
- they think they’re telling the right person
- they believe that their disclosure is in the public interest

Approved by Governors: Spring 2018
Review Date: Spring 2020
If the disclosure is made to other external bodies then as well as satisfying the conditions required for to the council, in all circumstances of the case it must be reasonable for them to make the complaint. Further the whistleblower must:

- reasonably believe that they would be victimised if they raised the matter internally or to a regulatory body or,
- reasonably believe that evidence is likely to be concealed or destroyed or,
- have already raised the concern with the council and/or relevant regulatory body and,
- reasonably believe that the information they provide and any allegations contained therein are substantially true.

If the disclosure is made to other external bodies and is of an "exceptionally serious" nature – which in a local government setting could include, say, the alleged abuse of children or vulnerable adults in an authority's care or corruption then the whistleblower will not be required to:

- have raised the matter concerned internally first
- believe that they will be subject to a detriment for raising the disclosure internally
- believe that the evidence is likely to be concealed or destroyed.

A colleague who wants to raise a wrongdoing should in the first instance inform any one of the Contact Officers, details of whom can be found on the whistleblowing page on the intranet. The initial contact can be by telephone or in writing and, if the latter, should be in a sealed envelope addressed to the officer concerned and marked: 'PIDA – Strictly Private and Confidential'. E-mail cannot be guaranteed as a secure medium and it is not recommended as a channel for reporting issues related to this policy.

The Contact Officer who has received a disclosure will:

- acknowledge its receipt, in writing, within 5 working days;
- seek further information if required, which may include a personal interview, at which the colleague (whistleblower) can be accompanied by a representative of their trade union or professional association, or by a fellow employee;
- when the precise nature of the alleged wrongdoing is established, refer the disclosure to the Monitoring Officer (Head of Law);
- in liaison with the Monitoring Officer keep the individual informed regarding the progress and in all cases (subject to legal constraints) provide details of the outcome of any investigation.

On receipt of a disclosure from a Contact Officer, the Monitoring Officer will determine what further action, if any, is needed, which may comprise:

- internal investigation
- report to the Police
- report to external audit
- independent enquiry
- any combination of the above

Approved by Governors: Spring 2018
Review Date: Spring 2020
The Monitoring Officer will also ensure that the Contact Officer is advised of progress and outcome.

If the colleague does not reasonably believe that appropriate action has been taken in relation to their concern, then they may raise it externally to the prescribed regulator or our external auditors. The charity, Public Concern at Work, can advise the colleague about raising the concern externally. This will include advising who the appropriate prescribed regulator is. The website for Public Concern at Work is [http://www.pcaw.co.uk/](http://www.pcaw.co.uk/)

**External Auditor**  
**Price Waterhouse Coopers LLP**  
**Cornwall Court**  
**19 Cornwall Street**  
**Birmingham B3 2DT**  
**0121 265 5956**

**Levels of Authority**

Throughout this policy document, there are many references to Contact Officer. For the purposes of this policy ‘Contact Officer’ is the person delegated by the Director to perform the task. The Contact Officers are listed in Appendix A.

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Signed on behalf of the Governing Body:

Chair ……………………………………………………………………………….. Date ……………………..
## APPENDIX A

**Contact Officers** (updated June 2016)

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<thead>
<tr>
<th>STRATEGY, GOVERNANCE AND CHANGE</th>
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<tr>
<td>John Tradewell 01785 276102</td>
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<td>Philip Jones 01785 278364</td>
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<tr>
<td>Ann-Marie Davidson 01785 276131</td>
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<td>Tracy Thorley 01785 276337</td>
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<tr>
<td>Andy Burns 01785 276300</td>
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<tr>
<td>Lisa Cartwright 01785 276803</td>
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<tr>
<td>Jon Waller 01785 276380</td>
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<tr>
<td>Dionne Lowndes 01785 854236</td>
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<tr>
<td>Helen Riley 01785 277200</td>
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<td>Mick Harrison 01785 278163</td>
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<td>Richard Hancock 01785 854055</td>
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<td>Kathy Maitland 01785 277095</td>
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<td>Chris Weiner 01785 278700</td>
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<td>Jackie Small 01785 276697</td>
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<th>ECONOMY, INFRASTRUCTURE AND SKILLS</th>
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<tr>
<td>Darryl Eyers 01785 278580</td>
<td></td>
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<td>Steve Burrows 01785 277204</td>
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<tr>
<td>Ian Benson 01785 276550</td>
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<td>Pam Rushton 01785 277210</td>
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WHISTLEBLOWING POLICY FLOWCHART

1. Initiation
   Colleague concerned that wrongdoing has or maybe committed as outlined in the policy

   1A. Colleague informs one of the Contact Officers in Appendix A

   If colleague does not believe appropriate action has been taken, colleague may raise externally with regulator public concern at work

2. Receipt
   - Acknowledge receipt within 5 days
   - Seek further info, may meet with individual(s)
   - Refer disclosure to Monitoring Officer

   Where appropriate keep individuals informed of progress

3. Action
   - Determine what further action is needed. For example: internal investigation, report to police, external audit, independent enquiry

   Update contact officer on progress