**Whistleblowing Policy**

**This should be read in conjunction with the Code of Professional Conduct for teachers – all our employees agree to comply with this.**

[**http://www.teachingcouncil.ie/en/Publications/Professional-Standards/Code-of-Professional-Conduct-for-Teachers.pdf**](http://www.teachingcouncil.ie/en/Publications/Professional-Standards/Code-of-Professional-Conduct-for-Teachers.pdf)

This procedure is designed to deal with disclosure of information by an employee, which relates to some danger, bribery, corruption, fraud or other unlawful or unethical conduct in the workplace. Employment legislation governs the making of disclosures concerning workplace activities and is intended to protect employees who blow the whistle on bad practice from being subjected to any detriment or from being unfairly dismissed as a result.

**Aim/Purpose:**

**Wrongdoing at work**:

This procedure is designed to deal with disclosure of information by an employee which relates to some danger, bribery, corruption, fraud or other unlawful or unethical conduct in the workplace. Employment legislation governs the making of disclosures concerning workplace activities and is intended to protect

employees who blow the whistle on bad practice from being subjected to any detriment or from being unfairly dismissed as a result. This procedure is available to all employees who discover something they feel they should pass on. All types of wrongdoing are included whether they are acts committed by fellow employees, faults in school procedures or oversights which should be rectified. The procedure should be used even in the event that the act or omission causing you concern has finished or has not yet started.

**Grievances:**

This procedure should not however be used where you have a complaint relating to your personal circumstances in the workplace. The Grievance Procedure contained in the Employment Manual should be used in such cases.

**Detriment:**

Provided that this procedure is used correctly and you make the disclosure in good faith you will not suffer any detriment as a result of reporting the wrongdoing. A failure to follow this procedure may however make the disclosure unreasonable and the protection given to you by this procedure may be lost.

**Stage one - Procedure:**

You should disclose the suspected wrongdoing first to your Staff Mentor.

In the event that your Staff Mentor is involved in the suspected wrongdoing, you shall be entitled to proceed directly to Stage Two of this procedure.

**Response:**

You can expect a response detailing to whom the disclosure has been notified or any action taken within seven days of your Staff Mentor becoming aware of the disclosure.

**Stage two - Procedure**:

If no response is forthcoming after seven days or if your Staff Mentor is involved in the suspected wrongdoing you shall be entitled to notify the Head Teacher.

**Response**: You can expect a response detailing any action taken within seven days of The Headteacher becoming aware of the disclosure.

**Stage three - Procedure**:

If no such response is forthcoming you should once more inform the Headteacher

**Stage four - Outside body**:

If you do not receive a response within seven days you shall beentitled to notify a relevant and appropriate body outside the School which may include:

* the Health and Safety Executive
* the Environment Agency
* the Information Commissioner
* the Department for Education
* the Department for Business, Enterprise and Regulatory Reform
* the Police
* the Charity Commission
* the Office for Standards in Education, Children's Services and Skills (Ofsted)

**The Investigation.**

If the complaint is safeguarding related the school will not undertake any investigation but will report immediately to the LADO. (see Roles & Responsibilities in this document).

The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the complaint until (or if) it becomes necessary to do so. – this may be appropriate, for example, in cases of fraud.

In certain cases, however, such as allegations of ill treatment of children or staff members, suspension from work may have to be considered immediately.

The Designated Officer/Head/Chair of Advisory Board will keep all information confidential, will not share it with the whistle-blower and will follow the LADO’s advice

The outcome:

* If the result of the investigation is that there is a case to be answered by any individual the Disciplinary Rules and Procedures will be used.
* Where there is no case to answer, but the employee held a genuine concern and was not acting maliciously, the designated officer should ensure that the employee suffers no reprisals.
* Only where false allegations are made maliciously, will it be considered appropriate to act against the whistle-blower under the terms of the Disciplinary Rules and procedures.

**Bypassing the procedure**:

In extreme circumstances you will have the right to raise your concern directly with the Chair of Governors or a relevant and appropriate outside body without first having followed the stages above. This may however cause damage to the School and its reputation as well as constitute a breach of your own duty of confidentiality towards the School and this action should only be taken in extreme circumstances and after

careful thought.

Complaints about the Head-Teacher

If exceptionally the complaint is about the Head-teacher, then complaints can be directed upwardly from the designated person to LADO (via the Chair of Governors) without the Head-teacher being informed. This may generate an external investigation.

**Extreme circumstances**:

The School will consider extreme circumstances exist where you have a reasonable belief that: the School will subject you to detriment if you inform [your Staff Mentor] in accordance with Stage one above or if you inform the Head teacher in accordance with Stage two or Stage three; a cover-up is being mounted by the School; or a disclosure made previously to your Staff Mentor/Head teacher in accordance with the stages above has not prompted a satisfactory response.

**The media**:

Even where extreme circumstances are thought to exist, you should under no circumstances approach a commercial body or the media with details of the suspected wrongdoing. If you approach any such body and / or where your concern is disclosed for personal gain, the School may consider this to be gross misconduct and immediate disciplinary action may be taken against you.

**Queries**:

If you have any queries about this procedure you should contact the Head Teacher.

Policy Sign off and review

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| --- | --- | --- |
|  | By whom | Date |
| Policy signed off by | Julia Low | 21.01.16 |
| Reviewed by | Tim Low | 30.01.2018 |
| Next Review By | Julia Low | 31.01.2019 |