



Marsh Green Primary School

Whistle Blowing Policy

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Governing Body, Autumn 2022

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1. Rationale

Members of **staff** may be the first to spot anything that is seriously wrong within the Council. However, they might not say anything because they think this would be disloyal, or they might be worried that their suspicions are not justified. They may also be worried that they or someone else may be victimised.

Members of the **public** may also have concerns. That is why we have produced this whistle-blowing policy to help staff and the public to contact us with their concerns.

We are committed to being open, honest and accountable.

This policy aims to make sure that if you want to raise any concern, you can do so with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

2. What types of action are covered by the policy?

The policy is intended to deal with **serious or sensitive concerns about wrong-doings such as the following:**

- Fraud or corruption
- Clients, children or students, particularly children and adults in our care, being
- Mistreated
- Unauthorised use of Council money
- An unlawful act
- Any danger to health and safety
- The environment being damaged (for example, by pollution)
- A person abusing their position for any unauthorised use or for personal gain
- A person deliberately not keeping to a Council policy, an official code of practice or any law or regulation
- A person failing to meet appropriate professional standards
- A person being discriminated against because of their race, colour, religion, ethnic or national origin, disability, age, sex, sexuality, class or home life

Your concern may be about members of staff, people who work directly for the Council, suppliers, or people who provide services to the public for us.

3. What is not covered?

You cannot use this policy to deal with serious or sensitive matters that are covered by other procedures. Such procedures include the following:

- Staff's complaints about their employment. These complaints are dealt with through our Grievance Procedure.
- Customers' complaints about our services. These complaints are dealt with through our Corporate Complaints Procedure.
- Allegations against councillors. You can pass these directly to the Standards Board for England or to our Monitoring Officer who will refer them on.
- Also, you cannot use this policy to raise issues that have already been settled through other procedures.

4. Protecting you

If your allegation is true, you have nothing to fear. But we understand that deciding to blow the whistle is not easy.

If you raise a concern which you believe is true, we will take appropriate action under the Public Interest Disclosure Act 1998 to protect you from any harassment, victimisation or bullying.

We will keep your concerns confidential if this is what you want. In this case we will not reveal your name or position without your permission or unless we have to do so by law. We would explain this at the time you raise a concern so you can decide whether or not to proceed.

If you work for the Council, you should also know that any allegation you make will not influence, or be influenced by, any unrelated disciplinary action against you or any redundancy procedures that may affect you.

5. Anonymous allegations

Because we will protect you (as explained above), we encourage you to give your name when you make an allegation. Concerns raised anonymously tend to be far less effective and if, for example, we do not have enough information, we may not be able to investigate the matter at all. If you feel that you cannot give your name, our Whistle-blowing Officer will decide whether or not to consider the matter. This will depend on:

- the seriousness of the matter;
- whether your concern is believable; and
- whether we can carry out an investigation based on the information you have provided.

6. Untrue allegations

If you make an allegation which you believe is true, but it is not confirmed by our investigation, we will not take any action against you.

However, if you make an allegation which you know is untrue, we will take appropriate disciplinary or legal action against you.

7. How to raise a concern

If you work for the Council, you should first raise your concern with your immediate supervisor, manager, Head of Service or Chief Officer (but obviously this will depend on the seriousness and sensitivity of the matter, and who is suspected of the wrongdoing). If the relevant manager cannot deal with the matter, he or she will refer the concern to our Whistle-blowing Officer.

If you prefer, or you do not work for the Council, you can contact our Whistle-blowing Officer direct in any of the following ways.

- By writing to the Whistle-blowing Officer at:
Room 154
London Borough of Barking and Dagenham
Civic Centre
Dagenham.
Write 'Private and confidential' on your envelope.
- By phoning the Whistle-blowing line on:
020 8227 2541. You can leave a voice-mail message 24 hours a day. Only the Whistle-blowing Officer (or the Corporate Complaints Manager if the Whistle-blowing Officer is off work) can pick up the messages left.
- By sending an e-mail to:
whistle-blowing@lbbd.gov.uk (Do not send an e-mail if the matter is confidential.)
- By using the form on the local authority website at:
www.barking-dagenham.gov.uk (Do not use this method if the matter is confidential.)

It is best to put your concerns in writing and give the Whistle-blowing Officer as much information as possible - including any relevant names, dates, places and so on. The earlier you raise a concern, the easier it will probably be to take effective action.

Although you will not have to prove beyond the shadow of a doubt that your allegation is true, you will have to show the Whistle-blowing Officer that there are good reasons for your concern.

8. Help for you

You may want to discuss your concern with a friend or colleague first. You may then find it easier to raise a concern if others share the same experiences or concerns. If you work for the Council, your trade union representatives can give you general support and advice, or act for you if this would help. This could be useful, particularly if you do not want the whistle-blowing Officer to know who you are.

We will encourage the trade unions to support any member of staff who raises a concern with them.

9. How we respond to your concerns

The way we deal with the concern will depend on what it involves.

We will first make enquiries to decide whether we should carry out an investigation and, if so, how we should go about it. Throughout all our enquiries and any investigation, our main concern will be to put the interests of the public first.

Your concern may be investigated by council management, our internal auditors, or through the disciplinary process, or we may refer it to:

- the police;
- other agencies (for example, if it involves the abuse of children or vulnerable adults it may be referred to the Director of Social Services);
- our external auditor; or
- an independent investigator.

If your concern or allegation can be handled under any other procedure or policy, we will pass it on to the relevant person and let you know. We may be able to settle some concerns without carrying out an investigation but by taking action agreed by you. If we need to take urgent action, we will do this before carrying out any investigation, within 10 working days of you raising a concern, the Whistle-blowing Officer will:

- acknowledge that we have received your concern;
- explain how we will handle the matter; and
- tell you what support is available to you.

It is difficult to set further timescales as they depend on the nature of the allegation and the type of investigation we need to carry out. The amount of contact you have with the Whistle-blowing Officer will depend on the nature of your concern, the potential difficulties involved, and how clear the information you have given is.

If you need to have a meeting, you can be accompanied by a friend or a representative from a trade union or professional association. Meetings with the Whistle-blowing Officer will normally take place in his or her office but can be arranged elsewhere, but not in your home unless there are exceptional circumstances.

We will take steps to reduce any difficulties you may experience as a result of raising a concern. For instance, if you need to give evidence in criminal or disciplinary proceedings, we will arrange for you to get advice on the procedure.

We will usually give you feedback on the progress and outcome of any investigation.

10. The officer responsible for this whistle-blowing policy

The Head of Democratic Support (HDS) is our Whistle-blowing Officer. The HDS is a senior officer in the Council who can take an independent view of any concerns raised. That officer keeps a confidential record of all concerns raised and the outcomes and gives the Standards Committee a yearly summary of all cases without revealing any specific details.

What if a concern involves the officer involved in the whistle-blowing procedure?

If a concern involves the Whistle-blowing Officer, or if the Whistle-blowing Officer may be biased, the matter should be referred directly to the Director of Corporate Strategy.

If a concern involves the Director of Corporate Strategy, it should be referred directly to the Chief Executive. If a concern involves the Chief Executive, the matter should be referred to the Leader of the council (or the Deputy Leader if the Leader is not available). If there are exceptional circumstances which make any of these routes uncomfortable, get advice from the Chair of the Standards Committee.

11. How you can take a matter further

We hope you will be satisfied with any action we take. If you're not, and you want to take the matter outside the Council, you could contact:

- our external auditor;
- the Audit Commission;
- your local Citizens' Advice Bureau;
- relevant professional bodies or regulatory organisations;
- a relevant voluntary organisation; or
- the police.

Independent advice

You can get independent advice or support from an organisation called Public Concern at Work. Their address is:

Suite 306
16 Baldwin Gardens
London
EC1N 7RJ.
Phone: 020 7404 6609
E-mail: whistle@pcaw.co.uk