



INTEGRATED PRIMARY SCHOOL

Whistle-blowing Policy MIPS-117

<i>Date of Adoption</i>	<i>May 2019</i>
<i>Date of Next Review</i>	<i>May 2024</i>



1 Introduction

- 1.1 The Board of Governors is committed to adopting high standards of openness, probity and accountability in the delivery of its services and will treat malpractice as a serious matter.
- 1.2 Anyone who has serious concerns about any aspect of the school's work is encouraged to raise those concerns ('make a disclosure'), and this Policy is intended to set out the avenues for doing so.
- 1.3 Employees are often the first to suspect or realise that there may be something wrong in their place of work but may not express concerns because of feelings of disloyalty to colleagues or fears of harassment and victimisation.
- 1.4 It is a matter of law that employees making disclosures about malpractice by their employers or colleagues must not be subjected to any reprisal or detriment as a consequence (see section 9).

2 Application of policy

- 2.1 The Policy applies to all teaching staff and non-teaching staff employed by the Board of Governors, both full-time and part-time, permanent and temporary.

3 Internal procedure for expressing concerns

- 3.1 As a first step, staff members should raise concerns with their line manager or the Principal. This may be done either orally or in writing. If the report is made orally it should be followed up in writing.
- 3.2 If a staff member feels unable to raise a concern with the line manager or Principal, the matter should be reported by confidential telephone or in writing to the Chair of the Board of Governors.
- 3.3 All correspondence should be marked 'Private & Confidential' and addressed to the appropriate individual.

4 External procedure for expressing concerns

- 4.1 If an employee feels unable to raise the matter internally, or has done so to no effect, then there are other prescribed people that disclosures can be made to, such as the Information Commissioner, the Northern Ireland Audit Office or the Northern Ireland Human Rights Commission. For a full list of prescribed persons and the matters for which they have responsibility, you should consult the Department for the Economy's [public interest disclosure guidance](#).

5 Confidentiality

- 5.1 The Board of Governors recognises that staff may want to raise concerns in confidence under this Policy. If staff request that their identities be protected, the Board of Governors will take reasonable steps to honour that request.
- 5.2 If a situation arises where a concern cannot be resolved without revealing the staff member's identity (for instance, because evidence is needed in court), the Board of Governors will discuss with the staff member whether and how progress can be made.
- 5.3 It must also be recognised that the mere existence of an investigation may allow co-workers to guess at the identity of the employee who has raised the concern.

6 Anonymous reports

- 6.1 This policy encourages staff to put their names to the issues of concern whenever possible as, without this, it is more difficult to conduct investigations and corroborate facts. However, the Board of Governors will take seriously concerns that are raised anonymously and will carry out such investigations as are deemed necessary.

7 Oral reports

- 7.1 It is preferable that all complaints are made in writing and signed. However, it is recognised that some staff members may wish only to report the matter orally. In this case, the person receiving the oral report should write it down immediately and record the date and time and sign it. It should, if possible, be read back to the staff member to confirm its accuracy. Action should be taken to have the complaint investigated as soon as practicable.

8 Independent advice

- 8.1 If a staff member is unsure which procedure to use, or if they want independent advice at any stage, they may wish to contact:
 - their trade union
 - their solicitor
 - the independent charity Public Concern at Work (☎ 0207 404 6609)
 - the Labour Relations Agency (☎ 0289 032 1442).

9 The Public Interest Disclosure (Northern Ireland) Order 1998

- 9.1 The Public Interest Disclosure (Northern Ireland) Order 1998 provides protection from dismissal or other sanction for employees who make disclosures of information relating to malpractice by their employer or colleagues at work.
- 9.2 This Policy should not be regarded as a complete or authoritative statement of the law. However, some of the main provisions can be set out as follows.
- 9.3 Protected disclosures are disclosures of information which tend to show that one or more of the following matters is happening now, has happened in the past or is likely to happen in the future:
- a criminal offence;
 - a breach of a legal obligation;
 - a miscarriage of justice;
 - a danger to the health and safety of any individual;
 - damage to the environment; or
 - a deliberate covering up of information tending to show any of the above matters.
- 9.4 The employee must have a reasonable belief that malpractice is occurring, has occurred or will occur. The belief need not be correct – it might transpire that the employee was in fact wrong – but the employee must show that it was a reasonable belief in the circumstances at the time of disclosure.
- 9.5 The specific language of the employee's right is 'the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done on the ground that the worker has made a protected disclosure'. Detriment caused by the acts of co-workers is also covered.
- 9.6 Any disputes over whether an act by an employee is or is not a protected disclosure, or whether an act by an employer is or is not a reprisal for same, would ultimately be for an employment tribunal to settle.

10 Role of board of governors

- 10.1 The Board of Governors will:
- formally acknowledge receipt of your concern;
 - formally notify you who will be investigating your concern;
 - offer you an opportunity to discuss the issue in person, where you may be accompanied by a trade union representative or work colleague;

- respect your confidentiality, where this has been requested;
- take steps to ensure that you have appropriate support and advice;
- agree a timetable for feedback;
- provide as much feedback as is consistent with other obligations such as data protection;
- take appropriate and timely action against anyone who victimises you.

11 Abuse of this procedure

11.1 It is expected that staff members will operate within the spirit of this Policy, with integrity. However, use of this procedure to:

- make cynical, frivolous, mischievous or vexatious allegations,
- distract from other issues,
- divert attention from or action in the application of other procedures,
- defame or perpetrate malicious falsehoods

is likely to constitute misconduct and render the complainant subject to investigation and disciplinary penalty.

11.2 Staff who already are the subject of disciplinary, grievance or redundancy procedures will not have those procedures stopped or suspended as a result of their whistle-blowing.

Appendix 1 Schedule of Updates

<i>DATE</i>	<i>RESPONSIBLE PERSON</i>
<i>October 2006</i>	<i>M Roulston</i>
<i>May 2019</i>	<i>B Corrigan</i>