

The Levett School



Whistleblowing Policy

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Melton Road, Sprotbrough, Doncaster, DN5 7SB



City of
Doncaster
Council

“WHISTLEBLOWING” POLICY AND PROCEDURE FOR SCHOOLS

Introduction

Doncaster Council is committed to the highest possible standards of openness, probity and accountability. We expect that elected members and officers at all levels will protect the Council and its resources and lead by example, ensuring high standards of personal conduct and adherence to the Council’s policies, procedures and rules.

In line with this commitment, we encourage employees, workers, elected members, school governors, partners, service users and citizens with any concerns about any aspect of the Council’s work to come forward and voice those concerns.

Decisions as to whether to raise your concerns can often be a difficult decision to make. This policy outlines the whistleblowing process for all parties.

We will take all appropriate measures to protect both clients, including children and vulnerable people, and public funds and to reduce the risk of an irregularity occurring from either internal or external sources. Whenever an irregularity of any description is detected it will be investigated and prosecution, disciplinary and recovery action will be taken as appropriate. The action we take will be influenced by the irregularity or concern raised.

Our aims

This Whistle-blowing Policy is intended to encourage and enable you to raise any concerns within the Council, without fear of reprisals, rather than overlooking a problem or blowing the whistle outside.

Whilst the term “whistle-blower” usually refers to an employee, we intend this policy to be used by anyone wishing to raise a concern.

This policy aims to:

- Provide avenues for you to raise concerns and receive appropriate feedback on any action taken.
 - Allow you to take the matter further if you are dissatisfied with the Council’s response.
- and
- Reassure you that you will be protected from possible reprisals or victimisation for whistle blowing providing that you have a reasonable belief that you have made a disclosure in the public interest. (Please note that the Public Interest Disclosure Act 1998 allows for specific protection for employees and workers that whistle-blow. Whilst this act does not extend to other parties, we aim to reassure all those who raise concerns that we take reprisals and victimisation extremely seriously).

What concerns are covered?

Whistle-Blower or Complainant?

Whistleblowing is basically the act of reporting concerns of wrong-doing so that they may be investigated and acted upon. The term whistle-blower is typically reserved for employees that whistle blow about actual or suspected wrong-doing within their own organisation. This policy however, is intended to cover employees, elected members, partners, customers or citizens. A whistle blow however, is not the same as a complaint.

A way to establish whether an individual raising a concern is a ‘whistle-blower’ or a ‘complainant’ is to consider the nature of the concern.

- If the concern is about wrong doing and affects others, e.g. the general public and not just 1 individual, family or household, then you are likely to be a whistle-blower
- If the concern affects only yourself, your family or household and is not about wrong doing, then you are likely to be a complainant

This whistle-blowing policy is intended to cover concerns and malpractice that fall outside the scope of other procedures such as something that –

- Is unlawful; or
- Is against the Council's Constitution or policies; or
- Falls below established standards or practice; or
- Amounts to improper conduct.

Examples of concerns and malpractice in this context may include:

- **Corruption or Bribery** - including offering or accepting a reward for performing or failing to perform an act which leads to a gain for the person offering the bribe.

E.g. the offering or acceptance, by any Council official or representative, of any incentive for them to do something that they should not such as make a decision contrary to policies or procedures, disclose information that they should not or provide or deny services contrary to policies or entitlements.

- **Theft** - the dishonest taking of property belonging to another person with the intention of depriving the owner permanently of its possessions or their use.

E.g. the theft of asset / goods / stocks, misuse grants and public funds for purposes other than they were made available or theft of cash or equipment.

- **Fraud** – fraud is an act of deception intended for personal gain or to cause a loss to another party. The general criminal offence of fraud can include:

- deception whereby someone knowingly makes false representation in order to gain an advantage (this can include the intentional distortion of financial statements to conceal losses, mis-represent performance or conceal the misappropriation of assets)
- or they fail to disclose information for their own advantage
- or they abuse a position of trust for their own advantage

E.g. the dishonest completion of claim forms such as benefits or grants claims in order to secure a grant or benefits to which someone is not entitled. Dishonest completion of expenses claims or mileage claims, abuse of Council services for personal use, dishonest awards of contracts to family or friends, dishonest manipulation of performance information or targets to award pay increments or other incentives etc

- **Failure to observe, and breaches of, the law and statutory responsibilities** including;

- Dangerous procedures risking health and safety to the public and/or employees,
- Damage or the risk of damage to the environment by inappropriate, dishonest or negligent acts
- Abuse or bullying of clients including children and vulnerable people,
- Abuse of or a failure to properly protect children and vulnerable people by Council officers or members either through their action or inaction

- Failure to observe, or breaches of The Constitution, Scheme of Delegation, Contract Procedure Rules and Financial Procedure Rules or other policies
- Inappropriate use of council assets such as vehicles, machinery, computers or software licenses

Whilst the above examples are not exhaustive, it is clearly in the interest of all parties to identify any instances of these acts, deal with those responsible and take appropriate steps to prevent (where possible), such things from happening again. Whistleblowing concerns are always serious issues and will be treated as such.

Examples of complaints and issues that fall outside of the whistleblowing policy are:

- Employee grievances such as bullying or harassment
- Disputes over pay, bills, tenancies, leases etc (except where there are suspicions of wrong-doing)
- Dissatisfaction with a local or government policy
- Dissatisfaction with the quality or level of service received from the Council (except where there are suspicions of wrong-doing)
- Dissatisfaction with a Council decision (except where there are suspicions of wrong-doing)

There are existing procedures in place to enable service users to complain through the

Council's Complaints Procedure

<http://www.doncaster.gov.uk/talktous/complaintsandcompliments/index.aspx>

The Grievance Policy / Procedure

This policy is for employees wishing to lodge a grievance relating to their own employment (Please note that this link will only work for employees accessing this information from the Council's intranet site. A copy of this policy is available from Human Resources or from your line manager if you cannot access this system)

<http://intranet.doncaster.gov.uk/directorates/finance-corporate-services/grievance>

Dignity At Work Policy (Bullying and Harassment)

This policy is for employees wishing to report bullying or harassment at work. (Please note that this link will only work for employees accessing this information from the Council's intranet site. A copy of this policy is available from Human Resources or from your line manager if you cannot access this system.)

<http://intranet.doncaster.gov.uk/directorates/finance-corporate-services/dignity-at-work>

Modern Slavery Modern slavery is the illegal exploitation of people for personal or commercial gain, often in conditions, which the victim cannot escape. Doncaster Council is committed to ensuring that this exploitation does not occur in any of the Council's activities and that staff and the public have the opportunity to report suspicions to the appropriate place. Staff or members of the public who suspect that modern slavery or human trafficking may be happening through any of the council's activities, particularly in service delivery via third parties, should contact one of the officers listed in section 7. More information and advice can be found on the government's website on modern slavery: <https://www.gov.uk/government/collections/modern-slavery>

Employee/Worker protection

Employees are often the first to realise that there may be something wrong within the Council. However, they may decide not to express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council. 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. This policy makes it clear that staff can report concerns without fear of reprisal. This policy is intended to encourage and enable staff to raise serious concerns within the council rather than overlooking a problem or blowing the whistle outside.

The Council's policy is reinforced by the Public Interest Disclosure Act 1998 and provides statutory protection to employees and workers making disclosures. Protections are afforded to employees and workers where they report a concern provided that they reasonably believe their claim is in the public interest. Employees and workers should not make a false or malicious allegation and not seek to gain personally from raising the concern. Action may be taken against those individuals that do.

Safeguards – Harassment and Victimisation

The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the alleged malpractice. The Council will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith.

Anonymous Allegations & Confidentiality

Any concerns you raise will be treated seriously and confidentially and investigated as appropriate. During our investigations, we will treat any information you give us confidentially. However, whilst we endeavour to protect you, we also need to ensure that we fairly investigate the concern. This may mean that some of the details passed to us need to be passed on to the person being investigated in the interests of a fair investigation / hearing. In these instances, we may not be able to investigate your concerns without revealing some of the details you give us.

We will take all steps possible to protect your identity and confidentiality, where it is not possible to investigate the concerns without compromising this, we will discuss this with you first. If you request to remain anonymous, all efforts will be made to ensure this is respected and if at all possible, the Council, if requested, will not reveal its source.

We recognise that, despite any protections in place, you may want to raise your concerns anonymously. We strongly recommend that you include your name and contact details in any concerns raised. Concerns raised anonymously can be harder to investigate and without your details, it is impossible to ask you for further clarity or information. If you do wish to remain anonymous we will respect your wishes but it would be useful if you could provide us with a means of contact that does not reveal your identity that would allow us to obtain further information.

Any concerns raised anonymously will still be considered, but it may not be possible in all cases to investigate them.

The factors to be taken into account in determining whether to proceed with an anonymous allegation would include –

- The seriousness of the issues raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources without your information / statements.

Untrue Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you.

If, however, you make malicious or vexatious allegations, legal or disciplinary action may be taken against you.

How to raise a concern

This depends on the nature of the concern and the seriousness and sensitivity of the issues involved and who it is thought to be involved in the malpractice. Whistleblowing is always a serious matter and whistleblowing routes should only be used to raise serious concerns. Please see section 3.4 for further information on the serious issues that should be raised under this policy.

Concerns are best raised as early as possible. The earlier you raise a concern, the easier it is to investigate and take action on. Early whistleblowing minimises the impact on the Council and its stakeholders.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern. We request that you do not investigate the concern yourself in any way as this can sometimes compromise any evidence that we need to examine in order to investigate and take appropriate action on any concerns.

Please use the details below to contact us about your concern. Please note that you may invite your trade union, professional association or representative to assist you in raising a concern.

Emergencies

If the concern relates to an immediate endangerment to life or to suspected terrorism you should contact the police by telephone on 999.

Employee whistleblowing should be raised within the Council with either;

- Monitoring Officer, TheMonitoringOfficer@doncaster.gov.uk. Scott Fawcus Tel: 01302 734640
- Head of Internal Audit, Peter Jackson Tel: 01302 862938
- Director of Corporate Resources, Debbie Hogg Tel 01302 736278
- Assistant Director of Financial Services, Faye Tyas Tel: 01302 862606
- Head of Service, Human Resources, Chief Executive Office: Rebecca Hardwick Tel: 01302 736278
- Chief Executive, Damian Allen Tel: 01302 862230

Any concerns in writing should include as much detail as you are able to provide. Where possible, please set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation. The more information you provide us with, the better we are able to assess your concerns and determine the right course of action.

If you do not feel able to put your concern in writing, you can telephone or email any of the officers above, or email: TheMonitoringOfficer@doncaster.gov.uk. You do not have to give your name if you do not want to

The Council is keen to encourage employees to raise concerns and an employee may speak in confidence to a whistleblowing support officer located in Human Resources (who will be allocated on request from the Head of Service - Human Resources who can provide advice and support, independent from any investigation or process.

Elected members, school governors, service users, partners and citizens

Concerns should be raised with either the Monitoring Officer, Head of Internal Audit, Director of Corporate Resources, or Chief Executive.

This can be by letter to:

Civic Office,
Waterdale,
DN1 3BU,

Telephone (01302 736000) or by email.

Advice and guidance on how matters of concern may be pursued can be obtained from the same sources.

Concerns about safeguarding and the protection of vulnerable adults or children.

The Council takes seriously its responsibilities regarding the safeguarding of vulnerable adults and children. Any concerns relating to safeguard issues are likely to be dealt with via other policies and procedures.

Safeguarding concerns regarding children are dealt with by the **Children, Young People & Families Directorate**.

If you have concerns regarding abuse to vulnerable adults or children you may also contact the Safeguarding Adult and Children teams rather than using this policy. Information on raising such concerns has been linked to below.

Adults – <http://www.doncaster.gov.uk/services/adult-social-care/safeguarding-adults-contents-page>

Children – [Children's Services - Social Care and Safeguarding - Doncaster Council](#)

How the Council will respond

The action taken by the Council will depend on the nature of the concern. The matters raised may :

- Be investigated internally (you will be advised if it is considered that the matter falls within the grievance or complaints or another procedure - the decision whether it falls outside of the whistleblowing procedure will be done in consultation with the Monitoring Officer and Head of Service - Human Resources.
- Be referred to the Police
- Be referred to the external Auditor
- Form the subject of an independent inquiry

Where a concern is about fraud, theft, bribery or corruption, Internal Audit Services will be notified and involved / consulted in any subsequent investigation. Internal Audit are required by professional standards to maintain a register of any such concerns and the results of any investigations into them.

In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take and who should undertake it. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation.

Providing that you have given us contact details, we will write to you within 20 working days:-

- Acknowledging that the concern has been received
- Indicating how we proposes to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Telling you whether any initial enquiries have been made, and
- Telling you whether further investigations will take place, and if not, why not.

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 originally provided. If necessary, further information / clarification will be sought from you.

When any meeting is arranged, you have the right, if you so wish, to be accompanied by a union or professional association representative or a representative who is not involved in the area of work to which the concern relates.

It is important for you, the whistle-blower, that concerns are properly reviewed and addressed. Whilst we must comply with relevant legislation including the Data Protection Act, we will keep you informed as to the outcome of any investigation. Please be aware that specific personal information relating to individuals cannot be released. This will include details of any action taken against individuals.

How the Matter can be Taken Further

This policy is intended to provide you with an avenue to raise concerns within the Council. The Council 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 the Council, the following are possible contact points:

- An elected Member of the Council
- The Council's external auditor
- Relevant professional bodies or regulatory organisations
- Your solicitor
- The Police
- Public Concern at Work
- Trade Union/Professional Association
- The Local Government Ombudsman

If you do take the matter outside the Council, you need to ensure that you do not disclose information that is privileged or confidential to the Council and if you are an employee, do not breach your obligations under the Council's Code of Conduct for Employees. Whilst all of the code is important, paragraph 15 - 15.2 concerning contact with the press and media is particularly relevant.

Excerpt from the Code of Conduct for Employees - Contact with the Press and Media

The Council has a Head of Communications whose role is to deal with the press and media and offer advice and guidance to Directorates in the preparation of information and publicity for their services.

Unless specifically nominated and authorised by the Chief Executive or the Chief Officer of the Department concerned, employees are not permitted to give reports or speak to the press and media on matters relating to employment with the Council, Council business or decisions of the Council. Employees with this responsibility should guard themselves against declaring a view which is contrary to a position taken by the Council and which may be deemed to be critical of that decision.

To view the Code of Conduct for Employees click the following link (please note that this is only available to employees with access to the Council's intranet site. If you do not have access to this site, please contact your line manager for a copy of this code).

<http://intranet.doncaster.gov.uk/directorates/finance-corporate-services/code-of-conduct-policy-procedure>

Officer Responsibility and Reporting to Monitoring Officer

The Responsible Officer, who is the Monitoring Officer, has overall responsibility for the maintenance and operation of this policy.

If a whistleblowing complaint is made to any officer other than the Monitoring Officer, they must provide the details on the Whistleblowing report form as soon as possible after the complaint has been made. Once the issue / concern has been dealt with they must inform the Monitoring Officer of the outcome.

If an officer considers a whistleblowing complaint falls outside of the whistleblowing procedure this decision must be taken in consultation with the Monitoring Officer and Head of Service - Human Resources.

The Officer investigating the whistleblowing concern may contact the Monitoring Officer who will allocate a suitable officer to provide support and guidance on the process.

The Monitoring Officer will maintain a record of concerns raised and action taken in a form which does not endanger confidentiality and will report as necessary to the Council.

Where a concern is about fraud, theft, bribery or corruption, Internal Audit Services will be notified and involved / consulted in any subsequent investigation. Internal Audit is required by professional standards to maintain a register of any such concerns and the results of any investigations into them.

Evaluation

The success of this policy may be assessed by:

- The number of reported incidents of malpractice
 - Monitoring whether individuals feel able to report occurrences without fear or favour
- The Monitoring Officer presents an annual report to the Audit Committee detailing the whistleblowing complaints received in the year. A report is also produced by Internal Audit Services for the Audit Committee that details identified frauds and other corrupt activities uncovered. These reports can be accessed on the Council Chamber element of the website www.doncaster.gov.uk

Other related policies and procedures

- Anti-Fraud, Bribery and Corruption Framework
- Complaints Procedure
- Employee Code of Conduct
- Grievance Procedure
- Dignity at Work Procedure
- Members Code of Conduct

Communications and Publicity

Training on and awareness of this policy, for all employees, will be through one or more methods e.g. the Council's induction process, fraud awareness training, whistleblowing e-learning module, literature and team briefings.

Appendix 1 – Whistleblowing procedure for schools

1. Introduction

- 1.1. Employees are often the first to realise that there may be something seriously wrong with their school and/or LA. However, they may not express their growing concerns because they feel that speaking up would be disloyal to their colleagues or to the LA. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may be just suspicion of malpractice and wrongdoing at work.
- 1.2. The LA and school governing body are committed to the highest possible standards of openness, probity and accountability. In line with this commitment, we encourage employees and others with genuine concerns about any of the Council's or governing body's work to come forward and voice those concerns. This policy document makes it clear that employees can do so without fear or reprisals. The whistleblowing policy is intended to encourage and enable employees to raise such concerns within their school or where appropriate the LA rather than overlooking the problem or blowing the whistle outside.
- 1.3. This procedure accords with the requirements of the Public Interest Disclosure Act 1998 and is compatible with the conventions contained in the Human Rights Act 1998.
- 1.4. The procedure allows school-based employees to raise concerns about the management of the school with the governing body and to raise concerns about the governance of the school with named LA officers. The procedure also allows school-based employees who have concerns about the LA to raise these concerns with named LA officers.

2. Aims and scope of this policy

- 2.1. This policy aims to:
 - Provide avenues for you to raise genuine concerns and receive feedback on any action taken;
 - Allow you to take the matter further if you are dissatisfied with the governing body or LA response;
 - Reassure you that steps will be taken to protect you from reprisals or victimisation for whistleblowing in good faith.
- 2.2. There are existing procedures in place to enable you to lodge a grievance relating to your own employment. This whistleblowing policy is intended to cover genuine concerns that fall outside the scope of other procedures. That concern may be about something that:
 - Is unlawful;
 - Is against the Governing Body's Standing Orders or policies;
 - Is against the Council's Standing Order or policies;
 - Falls below established standards of practice;
 - Amounts to improper conduct;
 - Is a Health and Safety risk, including risks to the public as well as pupils or other colleagues;
 - Is damaging the environment;
 - Contradicts the Council's or Governing Body's Codes of Conduct.
 - Further examples are provided at Appendix 1.

- 2.3. The procedure will be communicated to all school employees as well as agency workers and supply teachers working in schools on a temporary basis.

3. Safeguards

Harassment or Victimisation

- 3.1. The governing body and/or LA recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal. The governing body and/or LA will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. However, should you feel that you have suffered harassment, either directly or indirectly as a result of raising a concern, you should refer to the School's Harassment and Bullying Policy and Code of Practice.
- 3.2. This does not mean that if you are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of your whistleblowing.

Confidentiality

- 3.3. The governing body and/or LA will do its best to protect your identity when you raise a concern. However, it must be appreciated that, in the interests of natural justice, any investigation process may reveal the source of the information and a statement by you may be required as part of the evidence.

Anonymous Allegations

- 3.4. You are strongly encouraged to put your name to any allegation. Concerns expressed anonymously are much less powerful. Anonymous allegations will be considered and any action taken at the discretion of the governing body and/or LA.
- 3.5. In exercising this discretion, the following factors will be taken into account when considering how to deal with any allegations:
- The seriousness of the issues raised;
 - The credibility of the allegation; and
 - The likelihood of confirming the allegation from attributable sources.

Malicious or Vexatious Allegations

- 3.6. If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make a malicious or vexatious allegation, disciplinary action may be taken against you in accordance with the School's Disciplinary Procedure.

4. How to raise a concern

- 4.1. As a first step, you should normally raise concerns with your immediate line manager or Headteacher. This depends, however, on the seriousness and sensitivity of the issues involved and who you think may be involved in the malpractice. For example, if you believe that your line manager is involved, you should approach your Head. If you feel the Head may be involved, your Chair of Governors should be approached and/or one of the Authority Officers named in Appendix 2.
- 4.2. If the concern is about the governing body or the LA, the matter should be raised with a named LA officer (Appendix 2).
- 4.3. Advice and guidance on how matters of concern may be pursued can be obtained from:
- Your line manager;

- Headteacher;
 - Chair of Governors;
 - Education Human Resources;
 - Internal Audit;
 - The Monitoring Officer (see 4.7 below).
- 4.4. Concerns are better raised in writing. You are advised to set out background and history of your concerns, giving names, dates and places, where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or arrange to meet an appropriate officer who will agree a written statement with you. If you are a member of a trade union you may find it helpful to take advice from them about putting your concerns in writing.
- 4.5. You may ask your trade union representative to raise the matter on your behalf.
- 4.6. The earlier you express your concern, the easier it is for the governing body or LA to take action.
- 4.7. For concerns other than fraud, theft or corruption, you may choose to telephone the relevant LA officer in Appendix 2. You can also report your concern to the Monitoring Officer. The Monitoring Officer is the Assistant Director for Legal and Democratic Services.
- 4.8. Any LA officer or Chair of Governors receiving any concern will also report it to the Monitoring Officer. This is because the Monitoring Officer has a statutory duty to consider any issue that has, or may, result in the Council being in contravention of the law or a code of practice.
- 4.9. Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for initial enquiries to be made.
5. How the governing body or LA will respond
- 5.1. The action taken by the governing body or LA will depend on the nature of the concern. The matters raised may:
- Be investigated internally;
 - Be referred to the Police;
 - Be referred to an external Auditor;
 - Form the subject of an independent enquiry.
- 5.2. In order to protect individuals, the governing body and the LA, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (e.g. child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 5.3. Some concerns may be resolved by agreed action without the need for an investigation.
- 5.4. Within ten working days of a concern being received, the governing body or the LA will write to you:
- Acknowledging that the concern has been received;
 - Indicating how it proposes to deal with the matters;
 - Giving an estimate of how long it will take to deal with the matter;

- Telling you whether any initial enquiries have been made; and
 - Telling you whether further investigations will take place, and if not, why not.
- 5.5. The amount of contact between the governors and/or LA officers 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 further information will be sought from you.
- 5.6. When any meeting is arranged to discuss your concerns, you have the right, if you so wish, to be accompanied by a trade union representative or a work colleague who is not involved in the area of work to which the concern relates and who also who could not be called as witness.
- 5.7. The governing body or LA 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 governing body or LA will advise you about the procedure.
- 5.8. The governing body and the LA accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcome of any investigations.
- 5.9. Any person who is subject of an allegation should, at the appropriate times be given details of the allegation in order to respond. They will have the right to trade union representation.
6. How the matter can be take further
- 6.1. This policy is intended to provide you with an avenue to raise concerns with your governing body or with the LA. The governing body and the LA hopes you will be satisfied. If you are not and you feel it is right to take the matter outside the Council, the following are possible contact points:
- Your local Council member (if you live in the area of the Council);
 - Ombudsman;
 - External Auditor;
 - Relevant professional bodies or regulatory organisations;
 - Your solicitor;
 - The Police;
 - Other bodies prescribed under the Public Interest Disclosure Act 1998 e.g.:
 - i. The Audit Commission for England and Wales
 - ii. Data Protection Registrar
 - iii. Serious Fraud Office
 - iv. Environment Agency
 - v. Health and Safety Executive
- 6.2. If you do take the matter outside your governing body, LA or Council you need to ensure that you do not disclose confidential or privileged information. Where confidential or privileged information is inappropriately disclosed you may be subject to disciplinary action. Employees considering such action should make themselves aware of Part IVA of the Employment Rights Act 1996 as inserted by the Public Interest Disclosure Act 1998.

7. The Responsible Officer
- 7.1. Within the council the Monitoring Officer, Director of Policy, Performance & Governance, has overall responsibility for the maintenance and operation of this policy. The Monitoring Officer maintains a record of genuine concerns raised and the outcomes are reported as necessary to the Council, in a form that endeavours to maintain your confidentiality as far as possible (please see paragraph 3.2).
- 7.2. Within your school the Chair of Governors will carry out the functions carried out by the Monitoring Officer. The Chair will report as necessary to the Governing Body rather than the council, in a form that endeavours to maintain your confidentiality as far as possible.
8. Review and Monitoring
- 8.1. This policy will be reviewed and monitored on an annual basis. The Governing Bodies should have particular regard to the identification of the number of racist incidents and racial harassment.

9. [Appendix 1](#)

EXAMPLES OF CONCERNS

This list illustrates the kind of issues the Council would consider as malpractice or wrongdoing that could be raised under this whistleblowing policy. Reference should also be made to the Disciplinary Rules for Schools. However, neither list is exhaustive.

- Poor or unprofessional practice by a member of staff, governor or an agency which results in the service user not getting the same quality of service which is available to others;
- Improper/unacceptable behaviour towards a service user which could take the form of emotional, sexual or verbal abuse, rough handling, oppressive or discriminatory behaviour or exploitative acts for material or sexual gain;
- Any unlawful activities, whether criminal or in breach of civil law;
- Fraud, theft or corruption;
- Concerns regarding possible breaches of Health and Safety Regulations;
- Harassment, discrimination, victimisation or bullying or employees and/or service users;
- Leaking confidential information in respect of Governing Body or Council activities and/or records;
- Undertaking of undisclosed private work which may conflict with duties and responsibilities, or which are being carried out during work time;
- Inappropriate contact with members of the public within council or school facilities, or whilst carrying out governing body duties and/or Council duties or outside working time;
- Taking gifts or inducements;
- Inappropriate use of external funding or school budget;
- Maladministration as defined by the Local Government Ombudsman;
- Breach of any Statutory Code of Practice;
- Breach or failure to implement or comply with any Governing Body policy;
- Misuse of Council/school assets, including computer hardware and software, buildings, stores, vehicles.

10. APPENDIX 2

LIST OF LOCAL AUTHORITY OFFICERS WITH WHOM CONCERNS MAY BE RAISED

Officers Name	Job Title	Telephone
Riana Nelson	Director of Learning Opportunities and Skills	737909
Leanne Hornsby	Assistant Director of Education, Skills Culture and Heritage	734865
Peter Jackson	Head of Internal Audit	862938
Nicola Frost-Wilson	Internal Audit Manager	862931
Scott Fawcus	Assistant Director Legal and Democratic Services and Monitoring Officer	734640

Appendix 2: Whistleblowing Fact Sheet

Whistle-blowing Fact Sheet

Doncaster Council is committed to the highest possible standards of openness, probity and accountability and expects that Members and officers / employee at all levels will protect the Council and its resources and lead by example, ensuring high standards of personal conduct and adherence to the Council's policies, procedures and rules.

What is whistle-blowing?

Whistleblowing is basically the act of reporting concerns of wrong-doing so that they may be investigated and acted upon. The term whistle-blower is typically reserved for employees that whistle blow about actual or suspected wrong-doing within their own organisation. This policy however, is intended to cover employees, elected members, partners, customers or citizens. Whistle blows are always about serious concerns such as breaches of the law, endangerment of individuals or the environment or serious breaches of policy. These are different from complaints or employee grievances which typically only affect 1 person or a family and are usually about dissatisfaction with the level of service received or employment issues.

What sort of "concerns" are covered?

The whistleblowing policy covers a wide range of serious concerns. Some examples are shown below.

- **Corruption or Bribery** – The offering or acceptance of any form of incentive, money or other benefit, by an employee to do something that they know that they shouldn't such as award a contract to the bribing party or provide confidential or sensitive information to another party.
- **Theft** - The taking of property that belongs to someone else, dishonestly and without permission with the intent to deprive them of it. Such as the taking of cash, stocks or assets such as vehicles or equipment.
- **Fraud** – an act of deliberate deception made with the intent to gain a benefit from that deception or cause a loss to someone else. This can include deception by making a false statement, representation or claim, by deliberately withholding information or by abusing a position of trust for the individuals own personal benefit.
- **Dangerous practices** risking the health and safety of employees, contractors or the public.
- **Acts that risk serious damage to the environment**
- **Abuse or bullying** of clients including children and vulnerable people,
- **Failure to observe procedures**, or breaches of The Constitution, Scheme of Delegation, Contract Procedure Rules and Financial Procedure Rules.
- **Misuse of Assets** – The misuse of any assets for personal benefit such as vehicles, equipment etc

There are separate reporting mechanisms if your concern is with regard to the safeguarding of vulnerable adults and children. For adults, report to: <http://www.doncaster.gov.uk/services/adult-social-care/safeguarding-adults-contents-page>

For children, report to: [Children's Services - Social Care and Safeguarding - Doncaster Council](#)

What happens when I raise a concern?

When you raise a concern to any of the people nominated in the Whistleblowing Policy, the details of your concern will be logged by the Monitoring Officer. If the issue raised is a complaint or an employee grievance, you will be referred to the correct procedure for raising such concerns. For all whistleblowing concerns, checks will be undertaken in the background to gather further information to attempt to find out whether the concerns raised are correct. Based on this, a decision will then be taken as to how is best to investigate the concern and who is best equipped to do this.

If you raise any concerns about fraud, bribery or theft, Internal Audit Services will also be informed so that the details can be recorded on the fraud register.

Can I raise a concern without giving my name?

People are often reluctant to raise concerns because they fear what could happen to them as a result. The Council will not tolerate harassment or the victimisation of those that raise such concerns and will take action against such instances.

You don't have to give your name or contact details when making a whistle blow. If you choose not to give your name, it may make it harder for us to investigate your concerns as we won't be able to ask you further questions or get further clarification on your concerns. This could mean that we may not be able to investigate your concerns fully or that we are unable to take further action if we are unable to find any other evidence other than your observations / statements.

Employees can receive guidance in confidence with regard to a whistleblowing matter through a whistleblowing support officer located in Human Resources OD who will be allocated on request to the Assistant Director of HR, Communications & Executive Office.

How do I report a concern?

Concerns are best raised in writing but we recognise that this is not always possible. However you choose to report your concern, you should try to give us as much information as possible about it. Such as, who the concern is about, what actions you are concerned about, times, dates, places, details of other people who may have witnessed the issue, whether the action you are concerned about is a one off or whether there have been other examples of it and details of anyone else that may be involved. It is also helpful to give us background information on how you are aware of the concerns if you can.

If your concerns relate to an immediate threat to life or terrorism, you should call the Police by telephone on 999.

Other whistleblowing concerns can be raised by with the following officers: -

- Monitoring Officer, TheMonitoringOfficer@doncaster.gov.uk.
Scott Fawcus Tel: 01302 734640
- Head of Internal Audit, Peter Jackson Tel: 01302 862938:
- Director of Corporate Resources, Debbie Hogg Tel 01302 736278
- Assistant Director of Financial Services, Faye Tyas Tel: 01302 862606
- Head of Service, Human Resources, Chief Executive Office. Rebecca Hardwick Tel: 01302 736278
- Chief Executive, Damian Allen Tel: 01302 862230

If you prefer to send in your details by post, please address it to:-

The Monitoring Officer, Civic Office, Waterdale, DN1 3BU,

FURTHER INFORMATION

Further information on whistleblowing can be found in the full Whistleblowing Policy which can be viewed on the [Council's website](#).

Whistle-blowing flowchart

