NYES | Health and Safety

WHISTLEBLOWING POLICY

Riccall Community Primary School

Introduction

The Council is committed to the provision of the highest quality services to its residents and is proud of its track record of probity and high ethical standards. However, it also recognises that irregularities, wrong-doing or serious failures in standards can sometimes occur.

The greatest deterrent to malpractice or wrongdoing is the probability that it will be reported and investigated, that those who are responsible for it will be punished and that the matter will be promptly remedied. This Policy is therefore intended as a clear statement that any malpractice by members, employees or third parties (including contractors) reported to the Council will be swiftly and thoroughly investigated. The Council will also look at ways to ensure that such malpractice or wrongdoing can be prevented for the future.

Aims and Scope of the Policy

This policy provides all employees, agency workers, schools' employees, contractors (including their staff) and Members of the Council with:

- avenues to raise concerns and receive feedback on any actions taken;
- reassurances that they will be protected from victimisation for whistleblowing.

Set out below is a list which is intended to illustrate the types of issues which may be legitimately raised under this Whistleblowing Policy:

a. any offence, unlawful act, failure to comply with legal obligations or where a miscarriage of justice has occurred, is occurring or is likely to occur;
b. maladministration, as defined by the Local Government Ombudsman;
c. breach of any statutory Code of Practice;
d. breach of, or failure to implement or comply with any Council policy or procedure rules;
e. failure to comply with appropriate professional standards;
f. corruption, theft or fraud;
g. misuse or damage of Council assets;
h. risks to the health and safety of any individual or the abuse of any vulnerable person;
i. failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income to the Council;
j. unethical conduct, the abuse of power, or the use of the Council's powers and authority for any unauthorised or malicious purpose;
k. unfair discrimination in the Council's employment or the provision of services;
l. causing damage to the environment;
m. the deliberate falsification or destruction of information or data;
n. the deliberate concealment of information in relation to any of the items on this list.

This Whistleblowing Policy is primarily intended for people to raise concerns that are in the public interest and where the interests of others or of the organisation itself are at risk. It is intended to supplement, rather than to replace, the existing grievance procedures whereby employees of the Council may already raise complaints or matters of genuine concern relating to their own employment.

Employee Co-Operation and Safeguards

In many cases it is employees who are most likely to be in the best position to learn of any malpractice or wrongdoing within the Council or school setting and to identify something which falls below the standards which the Council and the public are entitled to expect.
The Council expects the fullest co-operation of all employees in securing the highest standards of service to local residents. This means that, where an employee or Member becomes aware of, or suspects, malpractice, the Council and school governors will expect them to report these suspicions. The Council and school governors will treat any failure to report such matters as a serious matter which may, in the case of an employee, result in disciplinary action being taken or may, in the case of a Member be regarded as a breach of the Members' Code of Conduct.

This Policy has been discussed with the relevant trade unions and professional associations.
The Council will respect (so far as it can legally) the confidentiality of any whistleblowing complaint received, where the complainant requests that confidentiality but cannot guarantee that the investigation process will not result in colleagues speculating on the identity of the whistleblower. It will be easier to follow up and to verify the facts of a case if the complainant is prepared to give his/her name. Unsupported anonymous complaints and allegations are much less powerful and therefore will have to be treated with caution. There will be circumstances where information must be disclosed for legal reasons, or to enable legal steps to be taken, e.g. there may be an obligation to disclose under the Freedom of Information Act provisions, or if the circumstances amount to a serious crime there may be circumstances where information will have to be passed to senior officers or to external agencies such as the police or external auditors.

Any reporting system will be of little effect if those who should use it are afraid that, as the result of making their report, they may experience recriminations, victimisation or harassment. The Council will therefore not tolerate any attempt to take reprisals against any person who has reported a serious and genuine concern. The Council will treat any such recriminations, victimisation or harassment as a serious matter which may, in the case of an employee, result in disciplinary action being taken or which may, in the case of a Member, be regarded as a breach of the Members' Code of Conduct. Individuals may also have statutory protection under the Public Interest Disclosure Act 1998, which aims to protect individuals who make certain disclosures of information in the public interest and who are then victimised in their employment. If a whistleblower who has made a valid complaint feels that they have been victimised as a result of raising concerns they can raise the matter directly with the Head of Internal Audit, Veritau who will raise the matter immediately with the appropriate Corporate Director, or the Chief Executive Officer if the complaint relates to a Corporate Director, who will take appropriate action.

The Council will ensure that the necessary resources are applied to investigating any complaints received. As a consequence of this it will view seriously any knowingly false or malicious allegations which it receives, and will regard the making of any deliberately malicious or vexatious allegations by any employee as a serious disciplinary offence.
The Whistleblowing Policy will be publicised to all staff, schools' employees, Members and contractors via appropriate communication channels.

How to Raise a Concern

Employees are expected to initially report any concerns to their line manager. If an employee feels unable to do this, their trade union representative or professional association may submit the instance of whistleblowing for them. For school based staff this will normally be the relevant head of department, head teacher or principal. It will be their responsibility to initially investigate all matters reported to them promptly in accordance with the procedure notes issued. If employees feel unable to report concerns in this manner then they should contact their Assistant Director, or in the case of school based staff, the Chair of Governors.

It is, however, appreciated that there may be times when an employee feels unable to use the above procedure, for example when the Whistleblower feels that their line manager may be involved in the malpractice or has failed to take appropriate action when the matter has been raised previously. In such circumstances the Whistleblower may wish to make a whistleblowing complaint under this Policy. The Council has therefore appointed the Head of Internal Audit, Veritau to act as its Whistleblowing Officer, with the following remit:

a. to receive and record any complaints made under this Policy;
b. to ensure, as far as possible, the confidentiality of any whistleblowing complainant who requests that their complaint be treated in confidence subject to paragraph 3.3 above;
c. to investigate promptly any whistleblowing complaint and to respond directly to the complainant, with a right of access to the Chief Executive Officer and all Members and employees of the Council or school and to all documents and records of the Council or school;
d. to report to the appropriate Corporate Director or head teacher where the investigation identifies a serious cause for concern within the responsibilities of that officer and to recommend the use of any relevant statutory powers or duties. Where the complaint relates to the conduct of a Member or a Corporate Director, he/she should report to the Chief Executive Officer (and also to the Monitoring Officer in case of complaints in relation to Member conduct). Where the complaint relates to the Chief Executive Officer, he/she should report to the Corporate Director – Strategic Resources. Where the complaint relates to a head teacher or principal, he/she should report to the Chair of Governors;
e. to report as appropriate, either jointly with the Corporate Director(s) concerned or in his/her own right, to the Council, the Executive and/or any Committee or Sub-Committee of the Council;
f. to recommend, in conjunction with the Chief Executive Officer or Assistant Chief Executive (Legal and Democratic Services), to settle appropriate action to resolve a complaint or recompense a complainant; and
g. to report annually to the Corporate Director – Strategic Resources and, where required, to the Standards and Audit Committees on the number of concerns raised under this Whistleblowing Policy.
h. The Head of Internal Audit, Veritau can be contacted by writing a letter in a sealed envelope marked Strictly Private and Confidential, addressed to:

Max Thomas (Head of Internal Audit)
Veritau Ltd
County Hall
Racecourse Lane
Northallerton
North Yorkshire
DL7 8AL

Alternatively workers can contact the council's independent whistleblowing hotline on 0800 9179 247, which is overseen by Veritau.

How the Council will respond

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

Some concerns may be resolved by agreed action without the need for detailed investigation. Within 10 working days of a concern being received, the line manager or the officer who is designated to carry out the whistleblowing investigation (on behalf of the Head of Internal Audit) will write to the whistleblower:

- acknowledging that the concern has been received;
- indicating how s/he proposes to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- stating whether any initial enquiries have been made; and
- stating whether further investigations will take place, and if not, why not.

The amount of contact between the officer considering the issues and the whistleblower, will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information may be sought from the whistleblower.

When any meeting is arranged, the whistleblower has the right, if they so wish, to be accompanied by a Union or professional association representative or a friend who is not involved in the area of work to which the concern relates.

The Council will, as far as it is able, take steps to minimise any difficulties which the whistleblower may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, the Council will, where appropriate and as far as it is able to do so, provide advice about the procedure.

The Council accepts the whistleblower needs to be assured that the matter has been properly addressed. Thus, subject to any legal constraints, information about the outcomes of any investigations will be provided.

How Matters Can Be Taken Further

This Policy is intended to provide staff with an appropriate avenue to raise concerns within the Council. If employees have reported a concern in accordance with the Council's Whistleblowing Policy but are not satisfied that the issues have been properly addressed then they may contact:

- Chair or any Member of the Council's Standards Committee;
- Chair or any Member of the Council's Audit Committee;
- The External Auditor;
- The NSPCC (for concerns about children at risk of abuse) ;
- Relevant professional bodies or regulatory organisations , for example, the Information

Commissioner's Office.

Independent Advice

If you're worried about a child, even if you're unsure, contact the NSPCC helpline to speak to one of our counsellors. Call us on 0808 800 5000, email help@nspcc.org.uk or fill in our online form.

Review of the Policy

The Policy will be subject to review as and when required.

Signed:	DJ Llewellyn
Date:	28.9.25
Review Date:	October 2026

Appendix 1

Safeguarding – do you have a worry or a concern? Don't keep it to yourself

Safeguarding and promoting the welfare of children is everyone's responsibility. Everyone who comes into contact with children and their families and carers has a role to play.

Information regarding child protection can be found on the North Yorkshire safeguarding website: **https://www.safeguardingchildren.co.uk/**. Here you can make a referral to Social Care, Early Help or other support services using the universal referral form (scroll to the bottom of the webpage above to the form.)

If you have concerns about a child:
Where there are **significant immediate concerns about the safety of a child**, professionals should contact the police on **999**.

If you believe the situation is urgent but does not require the police, please call **North Yorkshire Safeguarding on 01609 780780** to make a telephone contact. Should your call be outside of business hours (Monday – Friday / 9am-5pm) please still call **01609 780780** to speak to the Emergency Duty Team.

If you have concerns about a member of staff or governor you should speak to North Yorkshire's Local Authority Designated Officer (LADO) on **01609 533080**.

Further advice is available from:

Advice Customer Resolution Centre **01609 780780** (ask to speak to a social worker in the MAST team or email **children&families@northyorks.gov.uk**
Emergency Duty Team **01609 780780**
North Yorkshire Police ask for the Serious Crime Team for your area **101**
North Yorkshire LADO team for consultations, referrals and urgent matters:

Susan Crawford	**01609 532152 - 07813 005161**
Karen Lewis	**01609 534200 - 07715 540711**
Julie Kaye	**01609 532508 - 07973 825752**
Andy Kenyon	**01609 534215 - 07973 792398**

Safeguarding unit manager: Heather Pearson **01609 532301**

Safeguardingunit@northyorks.gov.uk

Whistleblowing hotline number **(01609) 760067**, direct, confidential and available 24 hours a day.

Don't keep your worries or concerns to yourself