

Sperrinview Special School

Whistle Blowing Policy

1. BACKGROUND

- 1.1 The EA Southern Region is committed to the highest standards of openness, probity and accountability in the delivery of its services. Whilst the EA Southern Region has put in place a wide range of rules, regulations, procedures and codes of practice to deliver its commitments, malpractice, abuse and/or wrongdoing may unfortunately still occur.
- 1.2 The EA Southern Region does not tolerate any such malpractice, abuse or wrongdoing and encourages anyone who has any knowledge of such to raise their concerns.

2. SCOPE

- 2.1 This policy applies to EA Southern Region employees, trainees, agency staff, independent consultants, volunteers, contractors, suppliers, SELB Board Members and members of the public.
- 2.2 Trade Unions, professional organisations or regulatory bodies can play a valuable role in assisting individuals to raise concerns under this policy.

3. WHAT IS MALPRACTICE, ABUSE OR WRONGDOING

- 3.1 Malpractice, abuse and wrongdoing can include a variety of issues some of which are listed below:

Any unlawful act, whether criminal (e.g. theft, bribery) or a breach of the civil law (e.g. slander or libel);

Maladministration (e.g. unjustified delay, incompetence, negligent advice);

Failure to safe guard personal and/or sensitive information and/or subsequent misuse of such information;

Health and safety risks, including risks to the public as well other employees (e.g. faulty equipment);

Abuse of children and vulnerable adults (e.g. through physical, sexual, psychological or financial abuse, exploitation or neglect);

Damage to the environment (e.g. pollution);

The unauthorised use of public funds (e.g. expenditure for improper purpose);

Fraud (e.g. concealing theft of public funds through teeming and lading);

Bribery (e.g. to solicit or receive any gift/reward as a bribe);

Breach of the Board member or employee Code of Conduct;

Abuse of power (e.g. bullying/harassment);

Other unethical conduct; and

Deliberate concealment of information tending to show any of the above.

3.2 This is not a comprehensive list but is intended to illustrate the sort of issues that may be raised under this policy.

3.3 The procedures set out in this policy are in addition to the board Grievance Procedures and the board Anti Fraud Policy and Fraud Response Plan.

4. PROTECTION

4.1 Individuals who raise a genuine concern under this policy will not be at risk of losing their job/position or suffer any form of retribution as a result, except where the individual has been complicit in the commission of the offence (either by direct action or the failure to act when they became aware of the offence). As long as they have not been complicit, individuals will be protected even if the matter is found to be mistaken, provided they:

Are acting in good faith;

Believe on reasonable grounds that the information is accurate;

Have not made the allegation principally for the purpose of obtaining payment for personal gain; and

Have taken reasonable steps to raise the subject matter of the disclosure internally, by drawing it to the attention of the appropriate individual.

4.2 Whilst the EA Southern Region encourages the submission of all genuine disclosures it will view very seriously any false and malicious allegations that are made under this policy. The EA Southern Region will regard such allegations by any employee or Board Member of the Board as a serious offence, potentially misconduct which could result in disciplinary action.

4.3 The harassment or victimisation of anyone raising a concern will not be tolerated. However, we recognise that you may nonetheless want to raise a concern in confidence under this Policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. If the situation arises where we are unable to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss this matter with you.

4.4 Any individual who believes they are being penalised/victimised for raising a concern, should refer to the EA Southern Region's Grievance Procedures and/or report their concerns to the Staff Welfare Officer who will take the matter further.

5. ANONYMOUS ALLEGATIONS

5.1 This Policy encourages an individual to put their name to the allegation whenever possible as without this it is more difficult to investigate a matter and to corroborate facts. It is then possible to clarify any ambiguous information or to ask for additional information to support the allegation. The EA Southern Region will be less able to protect the individual's position or to give feedback on the outcomes of any action taken. Concerns expressed anonymously are therefore much less powerful but will be considered by the EA Southern Region. In considering anonymous allegations the EA Southern Region will take into account factors such as:

The seriousness of the issues raised;

The creditability of the concern; and

The likelihood of confirming the allegation from attributable sources.

6. PROCEDURE

6.1 How to Raise a Concern - Internally

6.1.1 If you have a concern about malpractice, we hope you will feel able to raise it first with your manager. This may be done orally or in writing. Those who wish to make a written statement should set out the background and history of the concern (giving relevant dates) and the reasons why they are particularly concerned about the situation. The earlier a concern is expressed the easier it will be to take action.

6.1.2 The EA Southern Region will not expect an individual to prove their concern is true, but it will be necessary to demonstrate to the person contacted that there are reasonable grounds for the issue to be raised.

6.1.3 It is reasonable for an individual to discuss concerns with a colleague as it may be helpful to raise the matter if there are two (or more) individuals present who have the same experience or concerns.

6.1.4 As outlined in 6.1.1 normally concerns about malpractice, abuse or wrongdoing should be raised firstly with Line Managers. However if an individual feels unable to raise the matter with their line manager then the Head of Branch/Department is the next point of contact.

If the above channels have been followed/considered and:

An individual still has concerns; or

Reasonably believe that they will be victimised if they raise the matter internally; or

Believe that disclosure will result in the destruction of evidence; or

They feel that the matter is so serious that they cannot discuss it with their Line Manager or Head of Branch/Department; or

They consider that it is not appropriate (e.g. the individual is a contractor).

They should contact any of the following: Contact:	Position:	Tele:	Email:
Ms Helen Duffy	Head of Human Resources	3751 2231	Helen.Duffy@eani.org.uk
Ms Louise Ayling	Chief Finance Officer	3751 2267	louise.ayling@eani.org.uk
Mr David Orr	Health & Safety Officer	3751 2429	david.orr@eani.org.uk
Mr Kenny Orr	Head of Internal Audit	3751 2238	kenny.orr@eani.org.uk

Review

A sub-committee of the Board of Governors will monitor and evaluate the effectiveness of this policy as part of a timetabled, on-going process.

Signed: _____ Date: _____