



*CCMS & St. John's P.S.
Whistleblowing Policy
Code of Practice on Reporting Malpractice*

St. John's Primary School, Coleraine

Principal: Mrs H. McDonnell

Chairman of the Board of Governors: Mr L. McQuillan

1. Introduction

St. John's P.S. and the CCMS are committed to adopting high standards and will treat any malpractice as a serious matter. 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.

In line with our commitment to openness, probity and accountability, all employees and others with serious concerns about any aspect of St. John's P.S. and the CCMS's work are encouraged to report them, and if necessary in certain circumstances on a confidential basis.

2. The Public Interest Disclosure (Northern Ireland) Order 1988

2.1. The Public Interest Disclosure (Northern Ireland) Order, also known as the 'Whistleblowing Act' provides protection for employees who disclose information which may be regarded as confidential and which tends to show one or more of the following:

- A criminal offence has been, is being, or is about to be committed;*
- The employer is failing to comply with their legal obligations;*
- A miscarriage of justice has happened or is likely to happen;*
- An individual's health and safety is being jeopardised;*
- The environment is, or is likely to be damaged;*
- Information falling into any one of the above categories which has been, is being, or is likely to be, deliberately concealed.*

2.2. An employee must have a reasonable belief that a crime has or may be committed. An employee tribunal will decide whether or not such a belief was reasonable.

2.3. In deciding whether or not an employee has acted reasonably, all circumstances will be taken into consideration, in particular:

- The identity of the person to whom the disclosure is made;
- The seriousness of the relevant 'offence';
- Whether the 'offence' is continuing or is likely to occur in the future;
- Whether the disclosure is made in breach of a duty of confidentiality owed by the employer or any other person;
- Any action the employer or prescribed person might reasonably be expected to take as a result of a previous disclosure;
- Whether in making the disclosure to the employer, the employee complied with procedures applied by the employer.

2.4. Protection applies where the 'external' disclosures are made to such bodies as the police. In such instances, the Board of Governors of St. John's P.S. and the CCMS would expect to be satisfied that internal sources had been advised first or that the employee believed they would have been victimised or evidence would have been concealed or destroyed. External disclosures must be made in good faith in the belief that allegations are substantially true and there should be no motive for personal gain.

3. Application of this policy

3.1. This policy applies to all employees of St. John's P.S. and the CCMS both full and part-time, permanent or temporary members of staff. The policy aims to provide employees with an avenue to raise concerns and receive feedback on any actions taken. Employees may take the matter further if they are dissatisfied with the response.

4. Protection of Employees

4.1. The Board of Governors of St. John's P.S. and the CCMS are committed to this policy. If any employee raises a concern in good faith, the

Board of Governors of St. John's P.S. and the CCMS will protect them against harassment or victimisation and will, if necessary, apply disciplinary procedures.

4.2. If an employee raises a genuine concern under this policy, he/she will not be at risk of losing their job or suffering retribution as a result.

4.3. In accordance with the Public Interest Disclosures (Northern Ireland) Order 1988 an employee cannot be dismissed or selected for redundancy as a result of making a disclosure in good faith.

4.4. Employees who already are the subject of disciplinary, grievance or redundancy procedures will not have those procedures stopped or suspended as a result of their whistleblowing.

5. Confidentiality

5.1. The Board of Governors of St. John's P.S. and the CCMS recognises that employees may want to raise concerns in confidence under this policy.

5.2. If an employee requests that their identity be protected, the Board of Governors of St. John's P.S. and the CCMS will endeavour to honour this request.

5.3. If a situation arises where a concern cannot be resolved without revealing the employee's identity, the Board of Governors of St. John's P.S. and the CCMS will discuss with the employee whether and how progress can be made. It may be that evidence, either written or verbal, is required in court proceedings.

6. Anonymous Reports

6.1. The Board of Governors of St. John's P.S. and the CCMS encourage all employees to put their names to allegations because concerns expressed anonymously are much less powerful, however shall be investigated with details of finding and actions recorded.

7. Independent advice

*7.1. If you are unsure whether or how to raise a concern or you want confidential advice at any stage, you may contact your union. You may also contact the independent charity **Public Concern at Work** on **020 3117 2520** or by email at **whistle@protect-advice.org.uk**. Their lawyers can talk you through your options and help you raise a concern about malpractice at work.*

For more information you can visit their website www.pcaw.co.uk (Contact details correct as of May 2019. These may be subject to change)

8. Procedures for expressing concerns

8.1. As a first step teachers should raise concerns with Mrs. McDonnell or Chair of the Board of Governors, Mr. Liam McQuillan. This may be done either orally or in writing. If the report is made orally it should be followed up in writing. It is recognized that members of staff may only wish to report a matter orally. In this case, the person receiving the oral report should write it down immediately and record the date, time and sign it. If possible, be read back to the member of staff to confirm its accuracy. Action should be taken as soon as possible to investigate the concern.

8.2 If a teacher feels unable to raise a concern with the principal or chair of the Board of Governors, the matter should be reported to the Chief Executive of CCMS and marked as Private and Confidential. Contact details are provided below:

Mr. Gerry Campbell

Chief Executive

Council for Catholic Maintained Schools

Linen Hill House, 23 Linenhall Street, Lisburn, BT28 1FJ

Tel: 028 9201 3014

Email: please visit CCMS website and send the Chief Executive an email via the links provided within his contact details (<http://onlineccms.com/>)

(Contact Details correct May 2019 – may be subject to change)

9. Abuse of this Procedure

9.1 It is expected that all members of St. John's staff 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.

Policy Review:

St. John's Primary School will update this Policy in the light of any further guidance and legislation and review it annually.

On-going evaluation will ensure the effectiveness of the Policy.

Ratification: May 2019

Review Due: Term 3 2020