

Sketty Primary School
Whistle Blowing Policy
September 2025

Article 6: Every child has the right to be alive. Governments must make sure that children survive and develop in the best possible way.

Erthygl 6: Mae gan bob plentyn hawl i fyw. Dylai llywodraethau ofalu fod plant yn goroesi ac yn datblygu'n iach.

WHISTLEBLOWING POLICY

Cyngor Abertawe
Swansea Council

WHISTLEBLOWING POLICY

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Cyngor Abertawe
Swansea Council

WHISTLEBLOWING POLICY

1.0 POLICY STATEMENT

1.1. Swansea Council is committed to the highest possible standards of openness, moral correctness and accountability. In line with that commitment the Council expects any employee who may have serious concerns about any aspect of the Council's work to come forward and voice those concerns i.e. 'blow the whistle'.

1.2. In many cases it is the employees of the Council who are likely to be in the best position to learn of any wrong doing within the Council and to identify whether any particular action or proposal falls below the proper and professional standard which the Council and its customers are entitled to expect.

1.3 The Council has introduced this policy to enable concerns to be raised at an early stage and in the right way. It is intended to encourage and enable people working for or with the Council to raise concerns internally, rather than overlooking a problem or needing to report it elsewhere.

1.4 This policy aims to:

- Raise awareness regarding the protections available to an employee who raises a concern so that they can be confident that they can question and act upon concerns about malpractice by making a protected disclosure without fear of recrimination, victimisation or harassment.
- To have robust mechanisms in place internally to deal with and investigate such concerns effectively to ensure that such wrongdoing is prevented in the future.
- Ensure that there is an appropriate response to a disclosure explaining any actions taken.

1.5 This policy does not replace the Corporate Complaints Procedure which is concerned with addressing complaints about Council services.

1.6 If anyone has concerns about another organisation that provides services on behalf of the Council, they should contact the service provider in the first instance. In cases where the Council contracts with a private organisation it may be appropriate to notify the relevant Service Area of the Council. In some cases it may also be necessary to inform the appropriate regulatory organisation.

1.7 Disclosing information in an inappropriate way (e.g. contacting the media) could result in disciplinary action being taken against the employee, which could include dismissal.

1.8 If a worker is going to make a disclosure, it should be made to the employer first, or if they feel unable to use the organisation's procedure, the disclosure should be made to *a prescribed person* (Government guidance website Whistleblowing: list of prescribed people and bodies - GOV.UK (www.gov.uk)) so that employment rights are protected. Also see section 10 & Appendix 1

2.0 SCOPE

2.1. This policy applies to all employees and workers other than those in educational establishments with delegated powers.

2.2. Protection applies where a disclosure under the Act (2014) is made by a "worker". The "worker", as opposed to an "employee", as defined by the Act includes employees, contractors, consultants, agency staff, former employees, temporary employees, and interns/trainees.

2.3 Schools should refer to their own policy and Welsh Government Guidance.

3.0 WHAT IS WHISTLEBLOWING?

3.1. Whistleblowing is not just about making a complaint or allegation, but is about providing information to the Council regarding a concern whereby an employee wishes to draw attention to a situation by providing information where they reasonably believe it to be a protected disclosure.

3.2 A protected disclosure must include the following 4 elements:

- There must be a disclosure of information;
- The worker must believe the disclosure is made in the public interest;
- That belief must be reasonably held;
- The worker must believe that the disclosure tends to show one of the following concerns:

  (a) that a criminal offence has been committed, is being committed or is likely to be committed,(b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject,(c) that a miscarriage of justice has occurred, is occurring or is likely to occur,

  (d) that the health or safety of any individual has been, is being or is likely to be endangered,

  (e) that the environment has been, is being or is likely to be damaged, or(f) that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

3.3 This policy is intended to cover concerns other than issues related to employment, where the interests of others or of the Council itself are at risk. These include (but are not limited to):

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice

- health and safety risks, including risks to the public as well as other employees
- unlawful discrimination
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse of clients,
- the neglect, emotional, physical or sexual abuse of children or other inappropriate behaviour towards them
- general safeguarding concerns
- other unethical conduct
- a deliberate attempt to conceal any of the above

3.4 This policy *does not apply* in the following circumstances:

- Employment Issues
- General concerns relating to the behaviour and/or conduct of elected Members should be raised in accordance with the Member's Code of Conduct.
- Complaints related to bullying, harassment and victimisation
- Raising issues that have already been addressed under the disciplinary, grievance or other procedures.

3.5 There are a number of avenues to pursue a complaint or grievance; the appropriate procedure to raise it will be one of the following:

- Employee Grievance Policy
- Member's Code of Conduct
- Corporate Complaints Policy

4.0 PROTECTION WHEN 'BLOWING THE WHISTLE'

4.1. If an individual makes a protected disclosure of information (i.e. "blown the whistle") they will be protected and will not be victimised by the Council for doing so (e.g. by not offering promotion or other opportunities that would have otherwise been offered). Examples of detriment (or disadvantage) may include failure to promote, denial of training, closer monitoring, ostracism, blocking access to resources, unrequested re-assignment or re-location, demotion, suspension, disciplinary sanction, bullying or harassment, victimisation, dismissal, failure to provide an appropriate reference, or failing to investigate a subsequent concern.

4.2 Someone subjecting an employee to detriment because they have raised a concern or complaint deemed to be a 'protected disclosure' may be subject to proceedings under the Disciplinary Policy or Members Code of Conduct.

4.3 If an employee who makes a disclosure believes that they are suffering a detriment for having raised a concern, this should be reported to the 'Head of HR & Service Centre'.

5.0 CONFIDENTIALITY

5.1 This policy encourages those raising the concern to put their name to their disclosure whenever possible. Concerns expressed anonymously are much less powerful. In making a decision on how to proceed, the following factors will be taken into account:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the disclosure from attributable sources.

5.2 It is easier to follow up and to verify complaints if the complainant is prepared to give their name.

5.3 All concerns will be treated in confidence and every effort will be made *not to* reveal identities of those involved unless disclosure is required by law. Any identification of a whistleblower will only be with the consent of the individual.

5.4 A disclosure can be raised anonymously, however the Council's ability to act on the disclosure or provide protections under this policy may be affected.

5.5 Disclosures will be recorded and stored by the HR&OD service for reporting purposes.

6.0 EMERGENCY SITUATIONS

6.1 If an individual believes that the concern must be dealt with immediately either because it concerns a health and safety issue or concerns children or vulnerable adults, immediate contact should be made to a manager on the list below. The risk or the urgency should be explained in sufficient detail and accuracy to ensure that the person receiving the report understands what the harm or risk is and whom or what needs to be protected. The written disclosure should be completed as quickly as possible following a verbal report being made.

6.2. For a list of emergency contacts please see Appendix 2

7.0 FALSE, VEXATIOUS AND MALICIOUS ALLEGATIONS

7.1 The Council will regard the making of any deliberately false, vexatious or malicious allegations by any employee of the Council as a serious disciplinary offence.

7.2 If an individual makes a disclosure 'in the public interest', but it is not confirmed by the investigation, no action will be taken. If a disclosure made by an employee is found to have been made frivolously, maliciously or for personal gain, disciplinary action may be taken.

8.0 TAKING ACTION

8.1 If an individual knows, or suspects, that some wrongdoing is occurring within the Council, they should provide the information to a line manager or senior service manager in the first instance. However, if it is not appropriate to raise with these officers, one of the following may be contacted:

- Head of Service
- Director
- HR Service
- Trade Unions

8.2 Cases of known or suspected fraud can also be reported to Internal Audit's Corporate Fraud Team (fraud@swansea.gov.uk).

8.3 Any Safeguarding concerns should be raised through the team Safeguarding Champion or any designated Safeguarding officer. Social Services has lead responsibility for any concerns in respect of the possible abuse of children or adults; the appropriate Head of Service should be contacted immediately if any such concerns exist. If neither your manager or Named Safeguarding Person is available for Adult concerns contact Adultsafeguardingteam@swansea.gov.uk and Children concerns contact singlepointofcontact@swansea.gov.uk

8.4 Individuals should:

- Not assume someone else will report it
- Be clear about what is hearsay and gossip and what is fact
- Encourage others who have witnessed inappropriate practice to report it themselves.

9.0 COUNCIL RESPONSE TO CONCERNS AND ALLEGATIONS

9.1 Any manager, Head of Service or Chief Officer in receipt of a potential whistleblowing disclosure will seek immediate advice from HR&OD. The HR&OD team will triage the interpretation of the situation and will ensure the complaint is dealt with under the appropriate HR policy.

9.2 Where appropriate, the matters raised may:

- be referred to the Police;
- be referred to the external auditor;
- form the subject of an independent inquiry.

9.3 Some concerns may be resolved as an agreed action without the need for investigation.

9.4 Within **ten** working days of a concern being raised, HR&OD will write to the

individual to:

- acknowledge that the concern has been received;
- indicating how the matter will be dealt with;
- supply information on staff support mechanisms

9.5 On conclusion of any investigation, the individual will be informed that the matter has been dealt with whether action has been taken. If no action is to be taken, the reason for this will be explained. Individuals will not be informed of any disciplinary hearing outcomes.

9.6 If the individual is unhappy with the response, outcome or the handling of the issue, the matter should be raised with a Director adopting the grievance procedure as the most appropriate mechanism.

10.0 RAISING CONCERNS OUTSIDE OF THE COUNCIL

10.1 Individuals may wish to consider whether to raise concerns externally, or seek advice on how to report a concern.

10.2 Public Concern at Work offers a free, confidential advice line which can give access to advice on how to raise a concern safely and effectively. The advice line can be contacted on 020 3117 2520 or by emailing Contact our Advice Line - Protect - Speak up stop harm (protect-advice.org.uk)

10.3 A full list of prescribed people and bodies you can report malpractice to, other than your employer can be found via the gov.uk website: Whistleblowing: list of prescribed people and bodies - GOV.UK (www.gov.uk)

11.0. REVIEW & MONITORING

11.1 The Council will monitor the application of this policy and has discretion to review it at any time through the appropriate consultation mechanisms.

11.2 Responsibility for the implementation, monitoring and development of this policy lies with the Head of Human Resources and Service Centre. Day to day operation of the policy is the responsibility of nominated officers who will ensure that this policy is adhered to.

Version Number	Details of Change	Date
4	Complete policy review	Nov 2023

APPENDICES

APPENDIX 1: Prescribed bodies list

Here is a list of those prescribed people and bodies that may be of most use:

The Auditor General for Wales
about the proper conduct of public business; value for money, fraud and corruption in public bodies in Wales.
PIDA Officer
The Auditor General for Wales
1 Capital Quarter
Tyndall Street
Cardiff
CF10 4BZ
Tel: 029 20 320 522
E-mail whistleblowing@audit.wales
www.audit.wales/whistleblowing

Children's Commissioner for Wales
about matters relating to the rights, welfare and interests of children in Wales.
Children's Commissioner for Wales
Llewellyn House
Harbourside Business Park
Harbourside Road
Port Talbot
SA13 1SB
Tel: 01792 765600
Email: post@childcomwales.org.uk

Social Care Wales
about matters relating to the registration of social care workers in Wales.
Social Care Wales
South Gate House
Wood Street
Cardiff
CF10 1EW
Tel: 0300 30 33 444
info@socialcare.wales

ESTYN

Estyn is the office of Her Majesty's Chief Inspector of Education and Training in Wales. Estyn inspects quality and standards in education and training providers in Wales.

Estyn
Anchor Court
Keen Road
Cardiff
CF24 5JW
029 2044 6446
For general enquiries: enquiries@estyn.gov.uk

The Health and Safety Executive

about health or safety of individuals at work or the health and safety of the public that is work-related, in connection with those industries and work activities for which HSE is the enforcing authority.

Health and Safety Executive
Tel: 0300 003 1647
Online form: www.hse.gov.uk/contact/tell-us-about-a-health-and-safety-issue.htm
www.hse.gov.uk

Public Services Ombudsman for Wales

about breaches by a member or co-opted member of a relevant authority's code of conduct in Wales.

Public Services Ombudsman
1 Ffordd yr Hen Gae
Pencoed
CF35 5LJ
Tel: 0300 790 0203
Email: ask@ombudsman-wales.org.uk
www.ombudsman-wales.org.uk

APPENDIX 2: Emergency Contacts

Education Directorate

Rhodri Jones - Head of Achievement & Partnership Service
Rhodri.Jones@swansea.gov.uk or Education@swansea.gov.uk

Corporate Services

Rachael Davies - Head of HR and Service Centre
Rachael.Davies@swansea.gov.uk

Finance Directorate

Jeffrey Dong - Deputy Chief Finance and Deputy 151 Officer
Jeffrey.Dong@swansea.gov.uk

Place Directorate

Geoff Bacon – Head of Property Services
Geoff.Bacon@swansea.gov.uk

Social Services Directorate

Amy Hawkins – Head of Adult Services and Tackling Poverty
Amy.Hawkins@swansea.gov.uk