



## Whistleblowing in primary and secondary education

### Introduction

Public Concern at Work operates a free, confidential advice line for individuals who have witnessed wrongdoing in the workplace and are unsure how or whether to raise their concern. We monitor all contacts to the advice line.

Over the last year we have identified a number of cases where the lack of clarity in the education sector is causing practical problems for whistleblowers. As we have also experienced an increased demand on our advice line from this sector, we undertook a statistical review of our cases and a detailed review of our most recent 100 cases.<sup>1</sup> This short paper provides a breakdown of these results.

### Headline statistics

#### General

- In 2011, 14% (199) of our whistleblowing cases were from the education sector. 17% (244) and 15% (218) were from care and health respectively
- In H1 of 2012 14% (112) of calls were from the education sector, this was only exceeded by the care sector at 19% (156). The increase in care cases we have largely attributed to our research last year and the raised profile of whistleblowing in the care sector post Winterbourne View.
- We have experienced a 42% increase in calls from education in H1 2012 (112) compared to H1 2011 (78).

#### Type of organisation

- There was an equal split between cases from primary and secondary education

Type of school	Number
Local authority	37
Academy	13
Special school – behavioural difficulties	8
Special school – SEN	7
Independent or private school	7
Pupil Referral Unit	5
Grammar school	1
Voluntary aided school	1

#### Type of worker

- Most individuals who contacted us were teachers (26) or teaching assistants (14).

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<sup>1</sup> We create a case note for each call. Some individuals only contact us once and may not provide much information. On average each case contains three contact notes. As such it is unlikely we were able to code a response for every case in each section, meaning numbers will not total 100. We have discluded cases where there is insufficient information and the 100 cases reviewed date between 1 March 2011 and 30 June 2012.

### *Type of concern*

- We captured the top three concerns that individual workers had. The most common primary concerns were health and safety of a child (14) and physical abuse of a child (13).
- The most common concerns when all three top concerns were combined are as follows:

<b>Type of concern</b>	<b>Incident number</b>
Safeguarding (i.e. no training/CRB checks)	22
Health and safety of a child	20
Physical abuse of a child	14
Emotional or psychological abuse of a child	10
HR practice (i.e. faux redundancy/recruitment procedures are poor)	18
Misuse or waste of funds	11

- 10 of the 18 concerns about HR practice related to local authority mainstream primary or secondary schools. Five of the incidents of physical abuse occurred within a special school for children with behavioural difficulties, the majority of which related to improper restraint. No other of the above were particular to one type of organisation.

### *Who workers raised their concern with*

- Of those that had already raised the concern, the majority of individuals first raised their concern with senior management (25). The other most common group of individuals that workers raised their concern with was colleagues (8) or governors (8)
- 13 individuals escalated their concern to the local authority.
- Five of the 13 individuals who worked at academies had not raised their concern when they called. Three of the remaining eight individuals who worked at academies escalated their concern at all. Of those working at private or independent schools, individuals escalated concerns past senior management in two of the seven cases, to either the Charity Commission or DBIS.
- 12 individuals at local authority schools had not raised their concern when they called. Of the remaining 25, 17 escalated their concern.
- Many of the callers from academies commented that they had struggled with how to escalate their concerns, particularly if it was a governance issue. Additionally, a concern among staff who worked for local authority schools in the process of becoming academies was the issue of oversight and who they should approach if they have a concern. This demonstrates that when organisations fall outside the LEA structure, individuals are struggling with how to escalate their concerns externally effectively or if at all, if they have been ignored internally. The ability to hold organisations to account and the visibility of external oversight is vital in the deterrence and detection of malpractice. As such, this perceived lack of accountability represents an unnecessary risk in the current system and creates a barrier for responsible whistleblowers.

### *Response to the concern*

- The most common response to a concern was that nothing was done (28). This was followed by: an investigation was expected or had been carried out that the

individual viewed as inadequate (17); or an investigation had been carried out that was viewed as acceptable (7). The wrongdoing had been stopped in one case, but individuals are far less likely to be contacting us for advice in this circumstance.

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