

# WHISTLEBLOWING POLICY

## 1 PREAMBLE

- 1.1 Employees are often the first to realise that there may be something seriously wrong within the school. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or the school. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 The Governing Body is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the school to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 1.3 The policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing policy is intended to encourage and enable employees to raise serious concerns within the school rather than overlooking a problem or 'blowing the whistle' outside.
- 1.4 The policy applies to all employees and applies equally to those designated as casual, temporary, agency, authorised volunteers or work experience, Governors and those contractors working for the school on school premises e.g. agency staff, builders, drivers, and covers suppliers and those providing services under a contract with the school in their own premises.
- 1.5 These procedures are in addition to the school's complaints procedures and other statutory reporting procedures. Employees should be made aware of the existence of these procedures.
- 1.6 This policy has been discussed with the recognised trade unions/professional associations and has their support.

## 2. AIMS AND SCOPE OF THIS POLICY

- 2.1 This policy aims to:
- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
  - provide avenues for you to raise those concerns and receive feedback on any action taken;
  - ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied;
  - reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

**2.2** There are existing procedures in place to enable you to lodge a grievance or complaint relating to your own employment. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures.

These include:

- conduct which is an offence or a breach of law;
- failure to comply with a legal obligation;
- disclosures related to miscarriages of justice;
- health and safety risks, including risks to the public/pupils as well as other employees;
- damage to the environment;
- the unauthorised use of public funds;
- possible fraud and corruption – see Note below;
- sexual or physical abuse of pupils where referral under Safeguarding procedures is not appropriate;
- other unethical conduct and
- actions which are unprofessional or inappropriate

**2.3** Thus, any serious concerns that you have about any aspect of service provision or the conduct of school staff, governors, or others acting on behalf of the school can be reported under the Whistleblowing Policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the governors subscribe to; or
- is against the school policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

**2.4** This policy does not replace the school's complaints procedure

NOTE: There is a requirement under the Academies Financial Handbook for the Governing Body to notify the EFSA immediately of all (suspected) financial or accounting irregularities above £5,000, or those that are systematic or unusual regardless of value. This requirement is not superseded by this Whistleblowing Policy and your Governors will need to act accordingly if a financial issue is raised.

### **3 KEY PRINCIPLES**

**3.1** It is recognised that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

**3.2** The Governing Body will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern which is in the public interest.

**3.3** Investigations into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

## **4 CONFIDENTIALITY**

- 4.1** All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, anyone making a disclosure under this policy may need to provide evidence as a witness, and in these cases, it may not always be possible for you to remain anonymous.

## **5 ANONYMOUS ALLEGATIONS**

- 5.1** This policy encourages you to put your name to your allegation whenever possible.
- 5.2** Concerns expressed anonymously may be less powerful but will be considered at the discretion of the school. In exercising such discretion, the following factors may need to be taken into account:
- the seriousness of the issues raised;
  - the credibility of the concern; and
  - the likelihood of confirming the allegation from attributable sources.

## **6 UNTRUE ALLEGATIONS**

- 6.1** If you make an allegation which you believe is in the public interest but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

## **7 HOW TO RAISE A CONCERN**

- 7.1** In raising a concern, employees should provide the following information:
- the background and history of the concern (giving relevant dates);
  - the reason why you are particularly concerned about the situation;
  - the name(s) of any colleagues/employees who you consider are directly involved; and
  - the name(s) of any colleagues/employees who you believe may be able to provide further information.
- 7.2** Employees should normally raise concerns with a designated senior member of staff e.g. Headteacher/Chair of Governors. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that senior management of the school is involved you should approach the Chair of Governors or one of the Trust Members.
- 7.3** The earlier you express the concern the easier it is to take action.

**7.4** Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

**7.6** You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

## **8 HOW THE GOVERNING BODY WILL RESPOND**

**8.1** The Governing Body will provide a response to your concerns. If you confirm your wish to raise the concerns formally under this policy, a responsible person will be designated by the school management or where appropriate, the Trustees/Members, to co-ordinate the response to the concerns you have raised. The responsible person will respond to you in accordance with paragraph 8.5 below.

**8.2** Where appropriate, the matters raised may:

- be investigated by school management, internal audit, or through the disciplinary process
- be referred to the external auditor
- be referred to the police or
- form the subject of an independent inquiry.

**8.3** In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Such testing out of your concerns is not the same as either accepting or rejecting them. The overriding principle which school management will have in mind is the public interest

**8.4** Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

**8.5** Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

**8.6** Within ten working days of a concern being raised, the responsible person will write to you to:

- acknowledging that the concern has been received;
- indicate how it is proposed to deal with the matter;
- provide an estimate of how long it will take to provide a final response;
- inform you whether any initial enquiries have been made;
- supply you with information on staff support mechanisms (where appropriate), and inform you whether further investigations will take place and if not, why not.

- 8.7** The amount of contact between those considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary further information will be sought from you.
- 8.8** Where any meeting is arranged under this policy, away from school premises if you so wish, you can be accompanied by a trade union or professional association representative or a work colleague.
- 8.9** The Governing Body/Members will take steps to minimise any difficulties which you may experience as a result of raising a concern. For example, if you are required to give evidence in criminal or disciplinary proceedings arrangements will be made for you to receive advice about the procedure.
- 8.9** It is accepted that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

## **9 THE RESPONSIBLE OFFICER**

- 9.1** The Headteacher has overall responsibility for the maintenance and operation of this policy in respect of concerns raised formally within the school, and should maintain a record of concerns raised and the outcome to report as necessary to the Governing Body.
- 9.2** The Chair of Governors has overall responsibility for the maintenance and operation of this policy in respect of concerns raised formally outside the management of the school and will maintain appropriate records of concerns raised and report as necessary to the Members.

## **10 HOW THE MATTER CAN BE TAKEN FURTHER**

- 10.1** This policy is intended to provide you with an avenue within the school to raise concerns. The Governing Body hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the school, the following are possible contact points:
- Public Concern at Work, a registered charity whose services are free and strictly confidential
  - the external auditor;
  - your Trade Union/Teacher Association;
  - the police
  - the information commissioner
  - the environment agency
  - the health and safety executive
  - action fraud
  - HM customs and excise

**10.2** If you do take the matter outside the school, you should ensure that you do not disclose confidential information that falls outside the scope of the complaint. You should check with the relevant contact point about confidentiality.