



Whistleblowing Policy

July 2017

1) Introduction

- a) Whistleblowing is when a worker reports suspected wrongdoing at work. Wrong-doing covered by this 'public interest disclosure' includes:
- someone's health and safety is in danger;
 - damage to the environment;
 - a criminal offence;
 - not obeying the law;
 - covering up wrongdoing;
 - misusing public funds; (and in schools)
 - actions that negatively affect the welfare of children
- b) Employees are often the first to realise that there may be something seriously wrong within the workplace. However, they may be reluctant to express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School. They may also fear harassment or victimisation. In these circumstances they may consider it easier to ignore the concern rather than report what may only be a suspicion of malpractice.
- c) The Local Authority and the Governing Body are committed to the highest possible standards of openness, probity and accountability. In line with that commitment we would hope employees who have serious concerns about any aspect of the school's work would come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- d) This policy makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This 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.
- e) The policy applies to all employees at this school

2) Aims and scope of this policy

- a) This policy aims to:
- i) encourage individuals to feel confident about raising serious concerns and to question and act upon concerns about practice or behaviour

- ii) provide avenues for individuals to raise those concerns and receive feedback on any action taken
 - iii) ensure that individuals receive a response to your concerns and that they are aware of how to pursue them if they are not satisfied
 - iv) reassure individuals that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.
- b) There are existing procedures in place to enable individuals to lodge a grievance relating to their own employment. This policy is intended to cover major concerns that fall outside the scope of other procedures
 - c) Thus, any serious concerns that an individual has about any aspect of service provision or the conduct of employees or Governors or others acting on behalf of the School can be reported under the confidential reporting policy. This may be about something that:
 - i) makes individuals feel uncomfortable in terms of known standards, their experience or the standards they believe the school subscribes to;
 - ii) is against the school's standing orders, financial regulations, contracts code, or other policies;
 - iii) falls below established standards of practice;
 - iv) amounts to improper conduct.

3) Safeguards - Harassment or victimisation

- a) The Governing body is committed to good practice and high standards and want to be supportive of employees
- b) The Governing body recognise that the decision to report a concern can be a difficult one to make. If what an individual is saying is true, they should have nothing to fear because they will be doing their duty to the employer and those for whom they are providing a service.
- c) The Governing body will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect individuals when they raise a concern in good faith.

4) Confidentiality

- a) All concerns will be treated in confidence and an individual's identity, if they so wish, will not be revealed without their consent. However circumstances may dictate that for a successful outcome they may need to come forward as a witness and the person leading the investigation will discuss this with the individual at the appropriate time.

5) Anonymous Allegations

- a) The school recognises that someone may want to raise a concern in confidence under this policy. If an individual asks that their identity is protected, it will not be disclosed without consent. If the concern cannot be

resolved without revealing their identity (for instance because evidence is needed in court) this will be discussed with the individual.

- b) Investigations into anonymous allegations are limited by the sufficiency of the information provided. Some discretion will need to be applied when considering anonymous allegations to determine the likelihood of a successful outcome from the information provided.

6) Untrue allegations

- a) If an individual makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If however, an individual makes an allegation which can be shown to have been made frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

7) How to raise a concern

- a) As a first step, an individual should normally raise concerns with their immediate manager or the Head teacher. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if they believe that school management or governors are involved, they should approach the Chair of Governors. As the responsible officer, the Chair of Governors will be informed of each concern that is raised under the procedure.
- b) If the Chair of Governors is suspected of the malpractice, the Tri Borough Director of Schools Commissioning should be approached. If the matter is definitely related to fraud or corruption against the school/Council the individual should always immediately contact the RBKC Head of Internal Audit Moira.Mcgarvey@rbkc.gov.uk 020 7361 2389
- c) The Head of Internal Audit operates a secure confidential hotline for employees wishing to raise issues covered in this policy in confidence or anonymously, messages can be left at anytime. Hotline: 0800 783 2406
- d) The earlier an individual express the concern, the easier it is to take action. Although they are not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for concern.
- e) Concerns may be raised orally or in writing. Staff who wish to make a written report are invited to use the following format:
 - i) the background and history of the concern (giving relevant dates);
 - ii) the reason why they are particularly concerned about the situation.They may obtain advice/guidance on how to pursue matters of concern from the HR department
- f) The individual may wish to consider discussing their concern with a colleague first and they may find it easier to raise the matter if there are two (or more)

people who have had the same experience or concerns. They may invite their trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns they have raised.

8) How concerns will be dealt with

- a) Depending on the nature of the concern an individual will receive a response from either the Head teacher or immediate manager, the Head of Internal Audit/Tri Borough Director of Schools Commissioning or from the Chair of Governors. Depending on who considered the concern.
- b) 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. The overriding principle is the public interest. Concerns or allegations which fall within the scope of specific procedures should normally be referred for consideration under those procedures.
- c) 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.
- d) Within ten working days of a concern being raised, the individual raising the concern will receive a response:
 - acknowledging that the concern has been received
 - indicating how the matter will be dealt with
 - giving an estimate of how long it will take to provide a final response
 - telling them whether any initial enquiries have been made
 - supplying them with information on staff support mechanisms, and
 - telling them whether further investigations will take place and if not, why not.
- e) The amount of contact between the individuals considering the issues and those raising the concern 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 them.
- f) Where any meeting is arranged, off-site if requested, an individual can be accompanied by a union or professional association representative or a friend.
- g) The governing body will take steps to minimise any difficulties that an individual may experience as a result of raising a concern. If they are required to give evidence in criminal or disciplinary proceedings, the Local Authority will arrange for them to receive advice about the procedure. The governing body accepts that they need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, they will be informed of the outcome of any investigation.

9) The responsible officer

- a) The Chair of Governors has overall responsibility for the maintenance and operation of this policy. The Chair maintains a record of concerns raised and their outcomes (but in a form which does not endanger anyone's confidentiality) and will report as necessary to the Local Authority.

10) How the matter can be taken further

- a) This policy is intended to provide individuals with an avenue within the school and the Local Authority to raise concerns. If they are not satisfied with any action taken and if they feel it is right to take the matter outside the Children's Services department the following are possible contact points:
 - Public Concern at Work <http://www.pcaw.co.uk>
 - The Audit commission <http://www.audit-commission.gov.uk/about-us/contact-us/whistleblowing/> 0845 052 2646
 - Their trade union relevant professional bodies or regulatory organisations
- b) If an individual does take the matter outside the Local Authority and the Council they should ensure that they do not contravene their contract of employment by disclosing confidential information.

NOTE:

This policy does not replace the schools' safeguarding or grievance policies and procedures and a concern raised under this policy may be dealt with in conjunction with our safeguarding and or grievance procedures.