

WHISTLE BLOWING POLICY



2016

Rodmarton Primary School is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share the same commitment. All staff and volunteers are subject to an enhanced DBS check.

Please refer to the school's Safeguarding Children Policy for more information

We have carefully considered and analysed the impact of this policy on equality and the possible implications for pupils with protected characteristics, as part of our commitment to meet the Public Sector Equality Duty requirement to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations.'

Agreed by Governors: October 2016
Next review: October 2018

1 PREAMBLE

- 1.1 Employees are often the first to realise that there may be something seriously wrong within a school. However, they may not 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 and it may be easier, therefore, to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 The school is committed to the highest standards of openness, probity and accountability. It expects employees, and others that it deals with, who have serious concerns about any aspect of the school's work, to come forward and voice those concerns. The word 'whistle-blowing' in this procedure refers to the disclosure internally or externally by employees of malpractice, as well as illegal acts or omissions at work.
- 1.3 This Policy and related procedures makes it clear that employees can report, in a confidential manner, their concerns without fear of victimisation, subsequent discrimination or disadvantage and is intended to encourage and enable serious concerns to be raised with the school, rather than overlooking a problem or 'blowing the whistle' outside. It is stressed that under the Public Interest Disclosure Act 1998, employees of the school who speak out against corruption or malpractice at work have statutory protection against victimisation and dismissal as failure to disclose known information can result in disciplinary action.

2 AIMS AND SCOPE OF THIS POLICY

- 2.1 This Procedure aims to:
- Encourage employees to feel confident in raising serious concerns in those cases where they do not wish to use the normal reporting routes within their departments;
 - Provide alternative avenues for raising concerns;
 - Ensure that responses to concerns are made; and
 - Reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have raised a concern in good faith.
- 2.2 There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. This procedure is intended to cover major concerns that fall outside the scope of other procedures and include:
- 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 (where the concerns raised have not been addressed through normal procedures);
- Damage to the environment;
- The unauthorised use of public funds and financial malpractice, including fraud and corruption;
- Sexual or physical abuse;
- Other unethical or unprofessional conduct; and
- Notification of any suspicions of price-fixing cartels providing services/goods to the school.

2.3 The school fully understands that employees who are members of a Trade Union recognised by the school may, in the first instance wish to seek advice and guidance from their Union on the application of this Procedure (see paragraph 8.5).

2.4 Any serious concerns that employees have about any aspect of service provision, or the conduct of employees or members of the school or others acting on behalf of the school, can be reported under this Procedure. This may be about something that:

- Makes an employee feel uncomfortable in terms of apparent non adherence to known standards;
- Appears to be contrary to the requirements of the school and Code of Conduct;
- Falls below established standards of practice;
- May amount to improper conduct; and
- Appears to be an attempt to mislead.

3 SAFEGUARDS AGAINST HARASSMENT OR VICTIMISATION

- 3.1 The school recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from the person(s) who is the subject of the complaint. However, if employees state the truth they should have nothing to fear because they will be doing their duty to their employer and those for whom they are providing a service.
- 3.2 The school will not tolerate any form of sexual, racial or general harassment or victimisation and will take appropriate action to protect employees when they raise a concern in good faith.
- 3.3 Any investigation into allegations of potential malpractice will be separate from any grievance, disciplinary or redundancy procedure that already affects an employee. Equally, any investigation will not be influenced by any such procedures involving an employee.

4 CONFIDENTIALITY

- 4.1 All concerns will be treated in confidence and every effort will be made to protect an employee's identity if that is their wish. At the appropriate time, however, they may need to be called as a witness, following a full factual investigation of the concerns raised.

5 ANONYMOUS ALLEGATIONS

- 5.1 In order to ensure that employees receive protection of the Public Interest Disclosure Act 1998 employees should put their name to their allegation. Concerns expressed anonymously are much less powerful. Anonymous concerns and allegations, whether made to the Director of Law and Administration or Head of Audit and Consultancy, will therefore be investigated at the discretion of the Council.
- 5.2 In exercising this discretion the factors to be taken into account would include:
 - The seriousness of the issues raised;
 - The credibility of the concern; and
 - The likelihood of confirming the allegation from attributable sources factual evidence.

6 UNTRUE ALLEGATIONS

- 6.1 If an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, they make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

7 HOW TO RAISE A CONCERN

- 7.1 Employees who wish to raise a serious concern should do so verbally or in writing (marked '**Confidential**') to:

Mr John Biddulph
Chair of Governors
Rodmarton Primary School
Rodmarton
Nr Cirencester
Gloucestershire GL7 6PE

Or by email (marked '**Rodmarton Primary School | Confidential**')
to
chair@rodmarton.gloucs.sch.uk

The Chair of Governors will review the concern, and decide on the appropriate next steps including, for example, convening a team of Governors to review the issue or conducting a review with the Head and Business Manager or Administrator. Support is also available in relation to possible financial impropriety from Gloucestershire County Council's Business Management Directorate and/or the Head of Audit & Consultancy.

- 7.2 Alternatively employees may wish to use the Council's 24 hour "whistleblowing" Answerphone service on Gloucester 01452 - 427052 to report a serious concern relating to possible fraud, corruption, conduct or mal-practice/administration.
- 7.3 Employees who wish to make a written statement/report are invited to set out:
- The background and history of the concern (giving relevant dates); and
 - The reason why there is particular concern about the situation.

- 7.4 Although employees are not expected to prove, beyond doubt, the truth of an allegation they will need to demonstrate that there are reasonable grounds for their concerns.

8 HOW THE SCHOOL WILL RESPOND

- 8.1 The school will respond to such concerns and, where appropriate, the matters raised may:
- Be investigated by management, internal audit, or through the disciplinary process;
 - Be referred to the Police;
 - Be referred to the Department for Education; or
 - Form the subject of an independent inquiry.
- 8.2 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 which the school will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection) will normally be referred for consideration under those procedures. See “**Safeguarding Policy**”.
- 8.3 Within 10 working days of a concern being raised, the Chair of Governors will write to the employee concerned at their private address:
- Acknowledging that the concern has been received;
 - Indicating how he proposes to deal with the matter;
 - Telling the employee whether any initial enquiries have been made; and
 - Telling the employee whether further investigations will take place and, if not, why not.

- 8.4 If the matter is subject to further investigation the employee will be kept informed of the progress and will be told of the timescale for the investigation. The amount of contact between those considering the issues and the employee having a concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the school will seek further information from the employee raising the concern.
- 8.5 A representative of a Trade Union recognised by the school or work place colleague may accompany an employee during any stage of an investigation conducted under this Procedure.
- 8.6 The school will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, where an employee is required to give evidence in criminal or disciplinary proceedings the school will arrange for them to receive advice about the procedures involved.
- 8.7 The school accepts that employees need to be assured that matters of concern have been properly addressed and, therefore, subject to legal constraints, employees will be informed of the outcome of any investigation.

9 THE RESPONSIBLE OFFICER

- 9.1 The Chair of Governors has overall responsibility for the maintenance and operation of this Procedure. He will ensure that a record of concerns raised and the outcomes recorded is maintained in a form that does not endanger confidentiality.

10 HOW THE MATTER CAN BE TAKEN FURTHER

- 10.1 This Procedure is intended to provide employees with an avenue within the school to raise concerns. The school hopes employees will be satisfied with any action taken. If they are not, and if they feel it is right to take the matter outside the school, the following are possible contact points:

- Health & Safety Executive;
- Environment Agency;
- The District Auditor/Audit Commission;
- Financial Services Authority;
- DSS Benefits/Contributions Agencies Authority;
- A Trade Union;
- Serious Fraud Office;
- A relevant Voluntary Organisation;
- Inland Revenue;

- The Police;
 - Charity Commission;
 - Customs & Excise; or
 - The organisation known as 'Public Concern at Work'.
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- 10.2 If employees do decide to take the matter outside the school, they must ensure that they do not disclose to a third party any of the school's confidential information. If employees are in any doubt, they are strongly advised to seek the confidential advice of the Chair of Governors before taking any action.