



## **Three Ways School**

### **WhistleBlowing Policy**

#### **1. Rationale**

##### **What is Whistleblowing?**

Someone blows the whistle when they tell someone in authority about a dangerous, illegal or unethical activity that they are aware of through their work. This can include health and safety risks, environmental issues, fraud, poor standards of care and other problems.

#### **2. Why is Whistleblowing important?**

The school is committed to the highest possible standards of service and being open, fair and honest. It recognises that staff, volunteers and others associated with the school are often the first to realise that there may be something seriously wrong. Whistleblowing, enabled by this policy, provides a structured way for this important information to come to light.

#### **3. Why does the School need a Whistleblowing policy?**

Under the requirements of the Public Interest Disclosure Act 1998, it will:

1. encourage employees, volunteers and others who have serious concerns about any aspect of the school's work to voice them;
2. recognise that certain cases have to proceed on a confidential basis;
3. enable participation without fear of reprisals;
4. enable employees, volunteers and others to raise serious concerns within the School rather than overlook a problem.

#### **4. Who does the Whistleblowing policy apply to?**

- All employees, whether full or part time, permanent or temporary.
- All staff working in the school and School Governors & volunteers
- All contractors, agencies and partners

#### **5. What is covered by the Whistleblowing policy?**

The Policy:

- provides avenues for the raising of concerns;
- provides procedures for how action taken will be reported back to the whistleblower;
- allows for the matter to be taken further if there is dissatisfaction with the school's decision;

- underpins the Anti-Fraud and Corruption Policy and will aim to reassure anyone whistleblowing that they will be protected from reprisals or victimisation for acting in good faith.

The Policy does not replace:

- the School's complaints procedure;
- the School's grievance procedure;
- the Employees' Code of Conduct;
- managerial responsibilities

## **6. When should I raise a Concern?**

If you find out about, or have suspicion of, any activity that could be detrimental to the school. These activities may include:

- conduct which is an offence or a breach of law;
- disclosures relating to miscarriages of justice;
- health & safety risks to public or employees;
- damage to the environment;
- unauthorised use of public funds;
- possible fraud and corruption;
- breaches of the schools/council's policies, rules and regulations including Financial Regulations, Contract Standing Orders;
- falling below established professional standards or practices;
- improper or unethical conduct; or
- the abuse or neglect of service users.

(This list is not exhaustive).

## **7. What if I don't want to reveal my identity?**

- The School will respect the confidentiality of anyone raising a concern and will do everything in its power to protect the identity of that individual whether they are an employee, Member or an external source.
- However, as a result of the investigation process a statement may be requested to contribute to the evidence collected. In all such cases the provision of a statement will be discussed with you.

## **8. Can I raise my concern anonymously?**

Yes. However the school would encourage you to put your name to an allegation. Formal statements do help to build a case and add credibility to allegations. The key factors to be taken into account when investigating allegations are:

- seriousness of the issues raised;
- credibility of the concern and likelihood of confirming the allegation.

## **9. Will I be protected from possible Harassment or Victimisation?**

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 those responsible for malpractice. The school will not tolerate harassment or victimisation and will take action to protect anyone raising a concern in good faith.

If an employee is the subject of disciplinary or redundancy procedures when they raise their concerns, then those procedures will not automatically be affected. The information provided would be assessed in the light of the new circumstances and a decision taken as to how, if at all, those proceedings should be affected.

## **10. Will I be subject to any sanctions if the allegation is not proven?**

When an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the person voicing the concern.

If, however, an employee or volunteer makes a malicious or vexatious allegation, disciplinary action may be taken. The conduct of employees may be subject to the Council's Disciplinary Process.

## **11. How do I go about raising a concern?**

- School Staff should raise concerns with the Headteacher or the Chair of Governors. However, this does depend on the seriousness and sensitivity of the issues involved and who is thought to be involved in the matter that concerns them.
- Governors should raise concerns with the Director of Children's Services.
- If the matter is more serious or it is not appropriate to raise with Line Management then any of the following should be contacted :-
  1. Senior Management i.e. Strategic Director or Assistant Director;
  2. Chief Executive;
  3. Secretary of State for Education
- Outside agencies and partners should raise concerns with the appropriate Senior Manager or Director. Where this is not appropriate they should contact the Solicitor to the Council or the Chief Executive.

## **12. Who will be told about my concern?**

Where appropriate the following might be informed:- SMT/Governors/H.R. Team.

There are also certain officers with delegated responsibilities who will need to be contacted on certain matters. However they will not be advised of your identity without your approval. They are:

- Solicitor to the Council

In respect of actual/potential unlawful conduct, maladministration, breach of the Bath & North East Somerset Local Code of Conduct for or breach of law:

- Head of Audit, Risk & Information,

In respect of any actual/potential irregularity affecting Council resources.

- Head of Human Resources,

In respect of any matters relating to human resource or personnel issues.

### **13. How should I raise my concern?**

Concerns are better raised in writing and should incorporate relevant information about specific incidents. The background and history of the concern including names, dates and places where possible and the reason why you are particularly concerned about certain situations should also be provided. If you are unable to express your concerns in writing, then you should contact the appropriate officer by telephone or arrange to meet them.

#### **Do I have to provide proof of the allegation?**

Although you are not expected to provide evidence of an allegation, you will need to demonstrate to the appropriate officer contacted that there are sufficient grounds for raising the concern.

### **14. How will the School respond to my concern?**

The action taken by the school will depend on the nature of the concern. The matters raised may be:

1. Resolved without the need for investigation;
2. Investigated internally;
3. Referred to the police;
4. Referred to the External Auditor; or
5. Form the subject of an independent inquiry.

In order to protect individuals and the school, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations, which fall under the scope of specific procedures, will be referred for consideration under those procedures.

As soon as possible after a concern has been raised (normally within 10 working days) the school will write to the individual concerned to acknowledge the issue that has been raised and to indicate the future course of any action.

### **15. Will I be involved with the investigation?**

The amount of contact between the individual raising the concern and the officers considering the issue will depend on the nature of the matters raised. The individual may be approached to provide further information.

If a meeting is arranged then the individual concerned has the right to be accompanied by an appropriate person; this could be a Trade Union representative, a fellow employee or some other person of their choice.

### **16. Will I be informed of the outcome of the investigation?**

The person raising a concern will need to be assured that the issue has been appropriately addressed. Therefore the school, subject to legal constraints, will inform them in writing about the outcomes of any investigations.

## **17. How can I take a concern further?**

This Policy is intended as an avenue for individuals to raise concerns **within** the school. The objective will be to investigate reported concerns to the satisfaction of all parties. However, if you are not satisfied you may take your concerns outside of the school and these are possible contact points:

- H.R. consultants – Banes;
- Mr. Ashley Ayres – Head of Children Services;
- Local Council Members;
- Your Member of Parliament;
- The External Auditor;
- Relevant professional bodies or regulatory organisations;
- A solicitor;
- The police