

Box CE VC Primary School Whistleblowing Policy

Introduction

Box Primary School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment any staff member and others with serious concerns about malpractice or wrongdoing in the school's work are encouraged to come forward to voice their concerns without fear of victimisation.

Whatever the source the school is committed to listening to the concerns, taking them seriously and ensuring that they are dealt with promptly and fairly.

Those external to the school are encouraged to raise any concerns they have about the way in which the school operates through the Complaints Procedure, available from the school office.

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 organisation. They may also fear harassment or victimisation.

Staff are encouraged to raise their concerns within the school by applying the approach described in this document, rather than overlooking a problem or blowing the whistle outside.

Aims and scope of the organisation

This policy aims to:

- Provide avenues for staff to raise concerns and receive feedback on any action taken;
- Allow staff to take the matter further if they are dissatisfied with the school's response;
- Reassure staff that they will be protected from reprisals of victimisation for whistle blowing in good faith.

There are existing procedures in place (e.g. grievance, harassment and bullying) which make provision for staff to lodge a concern relating to their own employment. This Whistle Blowing Policy is intended to complement those procedures by covering concerns that appear to fall outside their scope.

Concerns about malpractice or wrong doing may include:

- any unlawful act, whether criminal or a breach of civil law, including corruption or fraud
- breach or failure to comply with the school's standing orders or policies
- breach or failure to comply with established standards of practice, including statutory codes of practice and standards promoted by professional bodies

- any form of improper conduct
- actions likely to cause physical danger to any person or give rise to a risk of significant damage to property
- failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant, avoidable cost or loss of income to the school or would otherwise seriously prejudice the school.
- abuse of power or the use of the school's powers and authority for any unauthorised or ulterior purpose.

(Please note this is not a comprehensive list but is intended to illustrate the range of issues, which might be raised under this policy).

The school provides guidance to staff on the standards it expects from its staff through the policies such as:

- Health, Safety and Welfare Policy
- Equal Opportunities Statement
- Harassment and Bullying Policies
- Computer Security Policy

And through the procedures, agreed with the relevant recognised trade unions and professional associations, for addressing poor standards which include:

- Disciplinary Procedure
- Grievance Procedure
- Capability Procedure

How to raise a concern - general

Staff are encouraged to set out in writing the background and history of the concern, giving names, dates and places where possible and the reason why they are particularly concerned about the situation. If staff do not feel able to put their concern in writing the matter can be raised by telephone or by way of a meeting with the appropriate person. In any event, staff should try to make an immediate note of relevant details, e.g. what was said in a telephone or other conversation.

Staff are encouraged to express their concerns at the earliest opportunity. The earlier a concern is raised, the easier it is normally to take action. (When raising a concern staff must declare any personal interest they have in the matter).

Although staff 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 a concern. However, they should not

attempt to investigate a concern or accuse individuals directly or discuss their concerns with anyone other than those referred to below. Staff may invite their union or professional association to raise the matter on their behalf.

How to raise a concern - main steps

As a first step a member of staff should normally raise concerns with the appropriate person such as their line manager or the whistle blowing governor, Gary Dutton. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice.

If the channels have been followed but the staff member continues to have concerns then the staff member should approach the LA.

In some circumstances, confidential informal advice from one of the LA's human resources officers or the employee's trade union or professional association may help a member of staff who is unsure of how best to pursue a concern about malpractice.

How the school will respond

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

- Be investigated internally
- Be referred to the LA
- Be referred to the Police

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 within the scope of specific procedures e.g. child protection or discrimination issues will normally be referred for consideration under those procedures.

Some concerns may be resolved by action agreed between the member of staff raising the concern and the person to whom it is reported without the need for investigation.

The person with whom the concern is raised will write personally to the member of staff who has raised the concern within 10 working days.

- Acknowledging that the concern has been received
- Indicating how she/he proposes to deal with the matter
- Giving an estimate of how long it will take to provide a response.

Staff raising a concern will be informed of the final outcome of any investigation. In some circumstances, however, it may not be possible to reveal the full details where this relates to personal issues involving a third party.

Harrassment 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 by those responsible for malpractice. The school will not tolerate harassment or victimisation and will take action to protect staff when they raise concerns in good faith.

This does not mean that if a member of staff is already the subject of procedures such as discipline, capability or redundancy, that those procedures will be halted as a result of a concern being raised under the provisions of this policy.

If a member of staff makes an allegation in good faith but it is confirmed by the investigation, no action will be taken against the member of staff. If, however, a member of staff knowingly makes malicious and false allegations, disciplinary action may be taken against the member of staff.

Disciplinary action will be taken against a member of staff if she/he tries to stop another member of staff from raising a concern or if a member of staff is responsible for any act of recrimination against a member of staff who raises a concern.

Where a member of staff may have been party themselves to an act of possible gross misconduct on which they are now "blowing the whistle" this could be considered in mitigation. They are not, however, exempt from disciplinary action.

Disciplinary action may be taken against staff if they contact the media (newspapers, TV, radio, etc.) with concerns about conduct at work without first following the steps set out in this policy.

Confidentiality

The School will make every effort to protect a member of staff when she/he raises a concern and does not want her/his name to be disclosed. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the member of staff may be required as part of the evidence.

All staff have a duty not to disclose or to make public any professional or trade secret or confidential information that they come across in their work.

Anonymous allegations

Staff are encouraged to put their names to their allegations. Concerns expressed anonymously are much less powerful and are more difficult to investigate but they will be considered at the discretion of the school.

In exercising the discretion, the factors to be taken into account will include:

- the seriousness of the issues raised
- the credibility of the concern and
- the likelihood of confirming the allegation from attributable sources.

Equal opportunity statement

Box Primary School is committed to equal opportunities for all. That means that in applying its policies and procedures it will not discriminate on the basis of race, colour, nationality, ethnic/national origin, marital status, disability, sexual orientation, age or religious beliefs or practices."

Arrangements for review

All concerns raised under this policy will be recorded in strictest confidence.

This policy will be kept under review and as a result, may be subject to amendment.