



## Whistleblowing Policy

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## I POLICY STATEMENT

This policy has been devised in accordance with the provisions of the Public Interest Disclosure Act 1998 and supports the School's [anti fraud and corruption policy](#).

Cann Bridge School is committed to the highest possible standards of openness, probity and accountability in all of its activities. It also expects a high standard of conduct and integrity from employees.

Any employee who has a serious concern about any aspect of the School's work or the actions of its employees should voice their concerns through established internal channels, without fear of harassment or victimisation.

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. The law provides protection for workers who raise legitimate concerns about specified matters or 'qualifying disclosures'. A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that there are wrongdoing or dangers at work. This may include: criminal activity, miscarriages of justice, dangers to health and safety, damage to the environment, failure to comply with any legal or professional obligation or regulatory requirements, bribery, financial fraud or mismanagement, negligence, breach of internal policies and procedures including code of conduct, conduct likely to cause damage to reputation or financial wellbeing, unauthorised disclosure of confidential information, unethical behaviour and the deliberate concealment of any of these matters.

A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns relating to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy.

The School aims to encourage all its employees to feel confident in raising serious concerns and provide appropriate avenues for dealing with them. It aims to ensure that employees are protected from possible reprisals or disadvantage where they have raised a concern or disclosed information in good faith.

## **2 AIMS AND SCOPE OF THE POLICY**

### **2.1 This policy aims to:**

- I. Encourage employees to feel confident in raising concerns and to question and act upon their concerns
- II. Provide avenues for employees to raise these concerns and receive feedback on any action taken
- III. Allow employees to take the matter further if they are dissatisfied with the School's response
- IV. Reassure them that they will be protected from reprisals or victimisation for whistleblowing in good faith in accordance with this procedure.

**2.2** This policy applies to all employees and contractors working for the School. Employees include staff working for the School on a temporary basis, casual or seasonal workers and trainees. It also covers agency workers and suppliers and those providing services under a contract with the School in their own premises.

**2.3** There are existing procedures in place to allow staff to lodge a grievance relating to their own employment within the School's grievance policy.

**2.4** This policy is intended to cover reasonably serious concerns that fall outside the scope of other procedures. That concern may be about the following:

- I. A criminal offence that has been, is being, or is likely to be committed
- II. Fraud and corruption
- III. Unauthorised use of public funds
- IV. A failure to comply with a legal obligation
- V. A health and safety risk relating to any individual
- VI. A miscarriage of justice
- VII. A damage to the environment
- VIII. Actions that are contrary to the School's standing orders, financial regulations or any other approved policies
- IX. Actions or behaviour that falls below established standards of practice
- X. Abuse and welfare of clients and/or staff
- XI. Harassment or victimisation of either staff or clients
- XII. Any actions or concerns regarding practice that could result in a financial loss to the School
- XIII. The deliberate concealment of information relating to any of the above matters
- XIV. Other unethical conduct.

This list is not exhaustive.

## **3 SAFEGUARDS**

### **3.1 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, or suspected of, the malpractice. The School will not tolerate harassment or victimisation and will take action to protect staff when they raise a concern in

good faith. This does not mean that if a member of staff is already the subject of disciplinary or redundancy procedures, those procedures will be halted as a result of their whistleblowing.

### **3.2 Confidentiality**

The School will do its utmost to protect an individual's identity when they raise a concern and do not want their name to be disclosed. It must be realised and appreciated, however, that the investigation process itself may well reveal the source of the information, and, depending on the outcome, a formal statement by the individual may be required as part of the evidence.

### **3.3 Anonymous allegations**

This policy is designed to encourage staff to put their names to allegations. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the School. In exercising this discretion, the factors to be taken into account would include:

- I. The seriousness of the issue raised
- II. The credibility of the concern
- III. The likelihood of confirming the allegation from attributable sources.

### **3.4 Untrue allegations**

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, individuals make malicious or vexatious allegations, disciplinary action may be considered and implemented.

## **4 RAISING A CONCERN**

- 4.1 Employees are encouraged to report any concerns to one of the following persons. They are listed in order of preference. However, if the employee believes that any of these persons are implicated in the concern they are raising they should feel free to report to the next most preferred person:
- 4.1.1 Line manager
  - 4.1.2 Headteacher
  - 4.1.3 Chair of Governors
- 4.2 Employees who are unsure about reporting or do not feel at ease raising the concern through the above route are encouraged to seek advice from one of the following:
- The Assistant Director for Human Resources and Organisational Development at Ballard House.
- 4.3 Employees may also invite their trade union or professional association to raise the concern on their behalf.
- 4.4 Concerns are better raised in writing. The background and history of the concern, giving names, dates and places where possible, should be set out and the reason why the individual is concerned about the situation. Those who do not feel able to put their concerns in writing may raise the matter verbally with the appropriate officer.
- 4.5 Although staff are not expected to prove the truth of their concern, they will need to demonstrate to the person contacted that there are sufficient grounds for concern.

## **5 HOW THE SCHOOL WILL RESPOND**

- 5.1 Within ten working days of a concern being received, the School will write to the employee:
- I. Acknowledging that the concern has been received
  - II. Indicating how it proposes to deal with the matter
  - III. Telling the employee whether any initial enquiries have been made
  - IV. Telling the employee whether further investigations will take place, and if not, why not.
- 5.2 The action taken by the School will depend on the nature of the concern.
- The matters raised may:
- I. Be investigated internally
  - II. Be referred to the Police
  - III. Be referred to the external auditors
  - IV. Form the subject of an independent inquiry by the ombudsman.
- 5.3 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 other, existing, procedures (eg child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 5.4 Some concerns may be resolved without the need for investigation.

- 5.5 The amount of contact between the managers considering the issues raised and the complainant will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided.
- 5.6 When any meeting is arranged, staff have the right, if they so wish, to be accompanied by a trade union or professional association representative or a friend who is not involved in the area of work to which the concern relates.
- 5.7 The School will take steps to minimise any difficulties which staff may experience as a result of raising a concern. For instance, if staff are required to give evidence in criminal or disciplinary proceedings, the School will advise them about the procedure.
- 5.8 The School accepts that staff need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, members of staff will receive information about the outcomes of any investigations.
- 5.9 If an employee is not assured that the matter has been properly addressed, they should contact the chief auditor, or consider an alternative method of taking forward a complaint as per section 8.

## **6 FOLLOWING UP CONCERNS RAISED**

- 6.1 Whatever method of raising a concern has been chosen, effective and efficient communication and support systems are fundamental to the success of the policy and in giving employees confidence that issues which they raise will be thoroughly and conscientiously investigated.
- 6.2 Managers or Governors who have concerns raised with them must notify the Senior Administrator immediately, if the concern / allegation involves either potential fraudulent practice or activity that could result in a financial loss to the School.
- 6.3 Similarly, if a concern raises issues relating to employee or client welfare, human resources should be notified. On issues of legality, legal services should be notified at the earliest possible opportunity.

## **7 RESPONDING TO CONCERNS RAISED**

- 7.1 The School will respond in any situation where individuals have raised a concern under the procedure outlined above. In order to protect individuals and any person(s) accused, initial inquiries will be made to establish whether a formal investigation is appropriate and, if so, what form it should take.
- 7.2 The role of Governors and trade union representatives in this process will be to act as an independent contact point, receiving and passing on relevant information. It is not envisaged that Governors or trade union representatives will either lead, or be involved, in actual investigations, although they will be kept informed in respect of relevant progress made in respect of specific allegations.
- 7.3 Some concerns will be resolved without the need for a formal investigation. Where a formal investigation is required, it is likely to take the form of an investigation by a senior manager or internal audit. In certain cases, the matters raised may be referred to the Police or the School's external auditors for investigation or an independent inquiry could be set up.
- 7.4 The overriding principle that the School will consider, in investigating any issue, is the public interest. Concerns or allegations that fall within the scope of existing School procedures, such as disciplinary matters or child protection, will normally be referred for consideration under those procedures.

## **8 ALTERNATIVE METHODS OF TAKING FORWARD A COMPLAINT**

8.1 This policy is intended to provide staff with an avenue to raise concerns within the School. If an individual feels it is right to take the matter outside this process, the following are possible contact points:

- I. The local School member (if you live in the area of the School)
- II. The external auditor
- III. Relevant professional bodies or regulatory organisations
- IV. Individuals' solicitors
- V. A relevant charity or voluntary organization, such as Public Concern at Work who can be contacted on 0207 404 8009 or [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk)
- VI. The Police.

8.2 If an employee does take the matter outside the School, they need to ensure that they do not disclose confidential information or that disclosure would be privileged. This should be checked with one of the designated contact points: internal audit, legal services, and human resources or, if preferred, an outside organisation such as the ombudsman.

## **9 THE RESPONSIBLE OFFICER**

9.1 The Headteacher has overall responsibility for the maintenance and operation of this policy.

9.2 The Headteacher will maintain a record of concerns raised and the outcomes (in an anonymous format) and will report as necessary to the audit committee.

## **10 CONFIDENTIALITY AND DATA PROTECTION**

10.1 We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you. We do not encourage staff to make disclosures anonymously. Proper investigations may be more difficult or impossible if we cannot obtain further information from you. It is more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the other contact points and appropriate measures can be taken to preserve confidentiality. If you are in any doubt you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline.

## **11 PROTECTION FOR WHISTLEBLOWERS**

11.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken. Staff must not suffer any detrimental treatment as a result of raising a genuine concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform one of the contact people immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure. Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.



## **I2 REVIEW AND MONITORING**

This policy is to be reviewed and monitored every two years. The Headteacher will monitor this policy.