



THE STREETLY SCHOOL

Policy Name: *Whistleblowing Policy*

(policy for staff to voice concerns in the public interest)

Member of Staff Responsible for the Policy:

Mrs J Hill –Deputy Headteacher (Care Guidance and Support)

Governors Committee:

The Governing Body has overall responsibility for the maintenance and operation of this policy. The school will maintain a record of concerns raised and the outcomes and will report as necessary to the Governing Body.

Date Ratified by Full Governors: 24th March 2010

Review Cycle Length: Annual

| Review dates summary | Policy Revised or Major Re-write | Chair of Governors Signature |
|-------------------------------------|----------------------------------|------------------------------|
| Date: July 2009 | | |
| Approved Resources Committee 3.7.08 | | |
| Amended by full Governors 16.12.08 | | |
| Approved Resource Committee 23.2.10 | | |
| Approved by Full Governors 24.3.10 | | |
| Review March 2011 | | |
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Section A: Overview of Policy

All of us, at one time or another, have concerns about what is happening at work. More often than not, these concerns are relatively minor and can be easily resolved. However, when those concerns are about unlawful conduct, financial malpractice or dangers to the public or environment, it can be difficult to know what to do.

Streetly School is committed to the highest standards of openness, probity and accountability. In line with this commitment, the school encourages employees with serious concerns about the school's work to come forward and voice those concerns. This also applies to concerns about the activities of staff, governors and external organisations in their dealings with the school.

This policy:

- provides the basis on which employees can raise any such concerns they may have, and receive feedback on action taken;
- allows employees to take the matter further if they are dissatisfied with the School's response; and gives protection from reprisals or victimisation for 'whistleblowing' in good faith.

There are existing procedures in place to enable employees to raise grievances about their own employment. This policy is intended to cover concerns that fall outside the scope of individual grievances. The concern may be about something that:

- is unlawful;
- is against the School's policies;
- amounts to improper conduct;
- seems likely to harm somebody or the environment or
- represents a cover up of these sorts of issues.

This policy applies to all established and temporary employees, contractors working for the School on school premises and land. It also covers suppliers and those providing services under a contract with the School in their own premises.

Section B: Legalities

Harassment or victimisation

The Governing Body 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 the malpractice. The School will not tolerate harassment or victimisation and will take all possible measures to protect employees who raise concerns in good faith.

Confidentiality

The School will protect the identity of employees who raise concerns and do not want their name to be disclosed. It must be appreciated, however, that the investigation may reveal the source of the information, and statements made by the employees who raised the issue may be required as part of the evidence. The School encourages employees to put their name to allegations made. 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 account of will include:

- the seriousness of the issue raised;
- the credibility of the concern;
- the likelihood of confirming the allegation from attributable sources; and
- untrue allegations.

If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the employee. However, if employees make allegations that are malicious or vexatious, disciplinary action against them is likely.

What kind of areas are covered ?

The Policy is intended to cover the following areas of concern:

- lapses in safeguarding provision
- conduct which is an offence or a breach of the law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damages to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- any other unethical conduct or improper conduct
- concealment of any of the above

Or it may be something that:

- makes you feel uncomfortable in terms of known standards (such as bullying in the workplace etc)
- is against the school's Financial Regulations or other policies

This policy is not intended to replace the complaint or employee grievance or other established procedures

Section C: Procedures

The earlier employees express their concern the easier it is to take action. As a first step an employee should normally raise concerns with their Immediate Manager, Head of Department or Head Teacher. This depends on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. For example if you believe that the school's senior leadership team is involved, you should approach any of the following as appropriate:

Chair of Governors – Mrs Jacqueline Jones (07850 708393)

Vice Chair – Mr Keith Webb (07979 750998)

Chair of the Resources Committee – Mr M Blank (0827 953777)

Chair of the Standards Committee - Mr Roland Roberts (07525 946078)

Chief Internal Auditor (01922 652831)

You may also seek external advice from the following; your trade union, the Citizens Advice Bureau, the relevant professional body or regulatory organisation, the police or "Public Concern at Work" (020 7404 6609)

Employees may invite their trade union or professional association to raise the matter in conjunction with them.

Although you are not expected to prove beyond doubt the truth of the allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern. Concerns are better raised in writing. This should set out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee is concerned about the situation. An employee who does not feel able to put their concerns in writing can telephone or meet the appropriate officer.

Remember, malpractice affects everyone and is unacceptable. Blowing the whistle on it is one way of stamping it out - for good.

How will the School respond?

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

- be investigated internally;
- be referred to the police.

In order to protect individuals and the School, initial enquiries will be made, whether the allegations are anonymous or otherwise, by a sub-committee of three of the above five people to decide whether an investigation is appropriate and, if so, what action should be taken based on the criteria set out in the whistleblowing policy and what form it should take. Some concerns may be resolved by agreed action without the need for investigation. Within two weeks of a concern being received, the Chair of Governors or appropriate member of School staff will write to the employee who raised the issue:

- acknowledging the concern has been raised;
- indicating how it proposes to deal with the matter;
- where possible, giving an estimate of how long it will take to provide a final response; and telling the employee whether further investigations will take place and if not, why not.
- supplying you with information on employee support mechanisms

The amount of contact between the investigators considering the issue and the employee who has raised the issue will depend on the nature of the matter raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the employee.

When any meeting is arranged with the employee, they will be given the right to be accompanied by a union or professional representative, a friend or fellow worker who is not involved in the area of work to which the concern relates.

The School accepts that employees need to be assured that the matter has been properly addressed. Therefore, subject to legal or contractual constraints, employees will receive information about the outcomes of any investigations.

Any attempt to victimise a person who has reported a concern under this procedure will be dealt with under the Disciplinary Procedure.

Section D: Escalation Procedure; Sanctions; Actions; Involvement of others

Taking the issue further

This policy is intended to provide employees with an avenue to raise relevant concerns within the School. It is hoped that employees will be satisfied with the action taken as a result. If an employee is not satisfied, and feel it is right to take the matter outside the School, the following are possible contacts, some or all of which may be appropriate:

- relevant professional bodies or regulatory organisations
- Chief Executive of Walsall Council (Chief Executive, Walsall M.B.C., the Civic Centre, Darwall Street, Walsall, WS1 1TP.
- Chief Internal Auditor (01922 652831)
- the Police;
- the charity Public Concern at Work (telephone 020 7404 6609)

If an employee does take the matter outside of the School, they must make sure that other than the bodies referred to above, they do not disclose otherwise confidential information.