Whistle Blowing (Speaking Out) Policy

This policy should be read in conjunction with the following policies:

- Safeguarding Policy
- Anti-bullying Policy
- Anti-Harassment Policy
- Code of Conduct
- Disciplinary, Capability and Grievance Procedures
- Surrey County Council’s ‘Strategy against Fraud & Corruption’

Introduction

Beaufort Primary School is committed to the highest possible standards of honesty, openness, probity and accountability. It seeks to conduct its affairs in a responsible manner, to ensure that all school activities are open and effectively managed, and that the school’s integrity and principles of public interest disclosure are sustained. This policy has been written in line with the advice and guidance of Surrey County Council.

In line with that commitment we encourage employees, those working on behalf of the school and others that we deal with, who have serious concerns about any aspect of the school’s work to come forward and voice those concerns with their line manager and / or more senior managers. Where any member of staff decides to report a serious incident, whether anonymous or not, this will be treated as a ‘protected’, internal disclosure’ i.e. there will be no adverse repercussions for the member of staff.

Staff are encouraged to use an external, independent and confidential Service provided by Expolink helpline Freephone: 0800 374199.

Purpose of the policy

Staff are often the first to realise that there may be something seriously wrong within the School. However, staff 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. Each person working for the school needs to realise that they not only have the right, but also a duty to report any improper actions or omissions.

Beaufort Primary School also recognises and appreciates that staff who raise concerns regarding malpractice or wrongdoing are an asset to the school, and not a threat. This policy makes it clear that they can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. The whistle blowing policy is intended to encourage and enable staff to raise serious concerns within the school.

Aims

This policy aims to:

- Encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice.
- Provide avenues to raise those concerns and receive feedback on any action taken.
• Ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied.
• Reassure staff that they will be protected from possible reprisals or victimisation if they have made any disclosure in good faith.
• Promote the already established and resources ‘The Contact Centre’ to ensure that residents use it as a channel to report any serious concerns. The school will use its standard internal mechanisms as well as advice from the local authority to fully investigate concerns raised.

Who is covered by the policy

The policy applies to all school employees, whether full-time or part time, permanent or temporary and those carrying out work on school premises, for example, agency workers, contractors, consultants. However, to facilitate the reading of this policy, the terms ‘staff’ or ‘members of staff’ have been used, with the intention to cover all individuals mentioned above.

Scope of the policy

There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. The whistle blowing policy is intended to cover serious concerns that fall outside the scope of other procedures, in accordance with the Public Interest Disclosure Act 1998. These include:

• Conduct which is an offence or a breach of law
• Failure to comply with a legal obligation
• Disclosures related to miscarriages of justice
• Health and safety risks, including risks to the public as well as other employees/staff
• Damage to the environment
• Information relating to the above issues that has been or is likely to be deliberately concealed

Examples of the above categories are likely to include:

• The unauthorised use or misuse of public funds
• Possible fraud and corruption
• Sexual, physical or psychological abuse of service users
• Harassment & bullying of staff
• Breaches of codes of conduct

Therefore, any serious concerns that a member of staff has about any aspect of provision or the conduct of other staff can be reported under the whistle blowing policy where the member of staff has a reasonable belief in those concerns and they relate to one of the specified areas set out above.

Safeguarding against harassment or victimisation

Beaufort Primary School is committed to good practice and high standards and wants to be supportive of employees/staff. It is recognised that the decision to report a concern can be a difficult one to make. If a member of staff has a reasonable belief that what they are saying is true, they have nothing to fear because they will be doing their duty to their employer and/or those for whom they are providing a service.
The school will take zero tolerance approach to any act of harassment or victimisation (including informal pressures) and will take appropriate action to protect staff when they raise a concern, by supporting the member of staff and consider action under the appropriate procedure (for example Disciplinary) against the person or persons responsible for the reported acts, provided the member of staff:

- Discloses the information in good faith
- Believes the concern to be true
- Does not act maliciously or make false allegations
- Does not seek any personal gain

and provided the allegations relate to one of the categories covered by the scope of the policy and referred to above.

Unsubstantiated allegations
If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken.

Confidentiality
All concerns will be treated in confidence but at the appropriate time, the whistle blower may be asked to come forward as a witness, and this will be discussed with them.

Anonymous allegations
This policy encourages staff to put their name to their allegation whenever possible.

Where a concern is raised via the external confidential Expolink Service, there is a provision to provide Expolink with name and contact details which will not be passed to the school without express permission from the individual. This enables feedback to be given.

The school will take all concerns raised seriously. However, concerns expressed anonymously are much less powerful but will be considered at the discretion of the Headteacher. 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.

How to raise concerns
As a first step, staff should normally raise concerns with the Headteacher, or with Chair of Governors if it is believed that the Headteacher is involved.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:

- The background and history of the concern (giving relevant dates);
- The reason why they are particularly concerned about the situation.
The earlier the concern is expressed; the easier it is to take action. In order to assist with the investigation, staff should provide as much detail and supporting evidence as possible regarding their concern. Although staff are not expected to prove beyond doubt the truth of an allegation, it will need to be demonstrated to the person contacted that there are sufficient grounds for concern for the person who raises them to have a reasonable belief that they exist.

The whistle blower may invite a recognised Trade Union representative or a work colleague to be present during any meetings or interviews in connection with the concerns raised.

How the School will respond

The school will investigate and respond to all concerns raised by staff or others. Where the complaint is about a member of staff, the Headteacher will follow the guidelines provided by Surrey County Council in ‘Dealing with Allegations of Abuse against Teachers and Other Staff.’

While it is not essential that the concerns be provided in writing, the Headteacher will ensure that a written account of it is made. This will help with the subsequent investigation by making sure that everyone involved is clear about what is being raised.

When a concern is raised, the headteacher will:

- Take the concern seriously.
- Consider the concerns fully and objectively.
- Recognise that raising a concern can be a difficult experience for employees
- Ensure confidentiality.
- Consult the Local Authority Designated Officer (LADO)

Concerns or allegations, which fall within the scope of specific procedures, eg child protection or discrimination issues) will normally be referred for consideration under those procedures.

Where there is any financial impropriety, the concern should be referred to Internal Audit, before taking any other action.

Matters of a criminal nature are reported to the Police.

Where appropriate, the disciplinary or other relevant School policies and procedures will be applied.

Investigation process

The Headteacher would establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. Other people may need to be interviewed to provide further information and/or clarification concerning the issue(s) raised.

It is essential that written records of all interviews be kept throughout the investigation, together with written details of any action taken. The investigation will result in a written report and recommendations for corrective action.

This policy will be every 3 years

Governors’ Committee Responsible: Resources Committee

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