



## Waltham St Lawrence Primary School

### **WHISTLEBLOWING POLICY (RAISING CONCERNS AT WORK)**

#### **AIM**

To create an environment in which staff and others feel they are able to raise concerns in an expeditious and appropriate way, without being worried about possible victimisation and/or harassment as a result of doing so.

#### **1. PURPOSE**

1.1 We aspire to the highest standards of quality, probity, openness and accountability in all our activities. In line with the Public Interest Disclosure Act 1998, this Policy aims to create an environment in which employees, parents, Governors and others working with the School, who have concerns about any aspect of the School's work, feel encouraged to disclose information to an appropriate person within the School.

1.2 Staff, because of their close proximity to school practices, are often the first to identify areas or issues that may be of concern. However, they may be reluctant to express these concerns because they feel that speaking up would be disloyal to their colleagues, or to the School– and they may also be worried that they will be victimised or harassed as a result of their actions.

1.3 This Policy is designed to help create an environment in which staff and others feel they are able to raise concerns without fear of reprisal. By responding to and addressing concerns in the quickest possible time, the School aims to contain such matters within the School. However, staff or others must be able to take matters further if they are dissatisfied with the School's response.

#### **2. SCOPE**

The Policy is designed to address situations where staff have concerns about activities that:

- a) are unlawful
- b) represent a risk to health and safety
- c) cause environmental damage
- d) infringe equal opportunities-related legislation and / or School Policies
- e) amount to improper or unethical conduct, e.g. breach of a statutory code of conduct
- f) are abusive of position
- g) are involved in radicalisation and share extremist views
- h) involve fraud and deceit
- i) result in inappropriate use of School assets
- j) result in decision making for personal gain

#### **3. HOW TO RAISE A CONCERN**

3.1 You may wish to discuss your concerns with a colleague first and may find it easier to raise the matter if more than one of you has had the same experience or concerns.

3.2 At any stage of the procedure, you may be accompanied by a friend, colleague, or representative of your Trade Union or professional association.

3.3 Staff should, if possible, raise a concern in the first instance with the Headteacher or Chair of Governors. Similarly, non-employees, e.g. supply teachers, volunteers or parents of pupils, should raise a concern in the first instance with the Headteacher.

3.4 In some cases, the nature or sensitivity of the concern means that this may not always be appropriate. If a person feels they cannot raise their concern within the School, they are able to go directly to the LADO

(Local Authority Designated Officer). They may also do so if, having raised the concern within the School, they feel there has not been an appropriate response.

3.5 For all concerns in respect of any suspected financial irregularity, the Local Authority (RBWM) Head of Finance and Head of Audit and Review must be notified immediately.

#### **4. PROCEDURE**

4.1 Concerns are better raised in writing but can be made orally, either by telephone or personal conversation; in either case it is essential to give as much information as possible so that reasonable grounds for the concern can be demonstrated.

4.2 The earlier the concern is raised, the greater the opportunity for the School and Local Authority to take remedial action.

4.3 Advice and guidance on how matters of concern may be raised and pursued can be obtained from the Local Authority, Head of Human Resources.

#### **5. HOW THE SCHOOL and LOCAL AUTHORITY WILL RESPOND**

5.1 Once a concern is raised, the School/Local Authority will respond with an investigation by management. Further courses of action will vary, depending on the issue.

5.2 The Headteacher or Chair of Governors will make initial enquiries. There will be consultation with the Headteacher, Chair of Governors, and the LADO, to help decide if an investigation is required and if so, what form it should take.

5.3 An Investigation Officer will then be appointed.

5.4 As soon as possible and in any case within 10 working days of a concern being raised, the person handling the matter, e.g. the Headteacher, Chair of Governors, Head of Human Resources, or LADO, will write to the individual raising the concern acknowledging that it has been raised and indicating, as far as possible, how it will be dealt with. The individual will be kept informed of progress and will receive a full and final response, subject to any legal restraints.

5.5 In relation to allegations of fraud and corruption in respect of the Governors and the Strategic Director of Children's Services, the Chief Executive will lead the process and will appoint an appropriate Investigating Officer, in liaison with the School. For cases involving Governors, the outcome of the investigation will be reported to the Local Authority governance service.

5.6 Any decision to refer a matter to the Police will be taken by the Headteacher or Chair of Governors, in consultation with involved Local authority members. The Local Authority will normally wish the Police to be made aware of, and investigate independently, those offences where financial impropriety is discovered.

5.7 Depending on the nature of the allegation, the Investigating Officer will normally work closely with the School and the Strategic Director of Children's Services to ensure that all allegations are thoroughly investigated and reported upon.

5.8 The Investigating Officer will:

- deal promptly with the matter;
- record all evidence received ;
- ensure that all evidence is sound and adequately supported;
- ensure security of all evidence collected;
- contact other agencies such as Police;
- notify the Council's Insurance and Risk Manager, if applicable, who in turn will notify the RBWM insurers
- assist management to implement Council disciplinary procedures, where appropriate.

The processes outlined above will also apply to Governors.

5.9 The Local Authority's disciplinary procedures will be used to facilitate a thorough investigation of any allegations of improper behaviour by employees.

## **6. SAFEGUARDS**

### **Harassment or Victimisation**

6.1 The School and Local Authority recognise that it can be difficult to report a concern, not least because of the fear of reprisal from those responsible for the potential malpractice. The School or Local Authority will not tolerate harassment or victimisation of the person who has raised the issue and will take serious disciplinary action against individuals who perpetrate such harassment.

### **Confidentiality**

6.2 Wherever practical and possible, the School and Local Authority will protect the identity of those raising a concern if they do not wish their name to be disclosed. It must be appreciated, however, that the process of investigation may reveal the source of information and a statement may also be required as part of the evidence. Advice and support will be provided where this is the case and disclosure of your identity will not be done without your consent unless such disclosure is legally required.

6.3 Anyone may approach the Local Authority confidentially if they so wish and as long as their allegation appears to have been raised honestly and in good faith, their wish for confidentiality will be supported.

6.4 This approach is further supported by decisions of the courts, who have recognised that in certain circumstances the identity of persons who have made allegations or given information to the public and other bodies should not be revealed (in the course of legal proceedings, for example). They recognise that disclosure could discourage others from making allegations or giving information to the proper authorities.

### **Anonymous Allegations**

6.5 Individuals raising concerns are strongly encouraged to put their name to any allegation. Concerns expressed anonymously are much less powerful, and will only be considered if the Headteacher or Chair of Governors agrees that the allegation demonstrates sufficient cause to take the matter further.

### **Untrue Allegations**

6.6 If someone makes an allegation in good faith and it is not confirmed by an investigation, no action will be taken against the person who has made the report. If, however, an individual makes an allegation which is subsequently shown to be malicious or vexatious, serious disciplinary action is likely to be taken against them.

## **7. HOW THE MATTER CAN BE TAKEN FURTHER**

7.1 This Policy is intended to provide all School employees and others with an effective process for raising concerns within RBWM. The Local Authority hopes that those using this process will be satisfied with the way their concerns are treated and any investigations that may be carried out. However, if they are not satisfied and feel they want to take the matter outside the Council, then either the Head of Human Resources or the Monitoring Officer will provide advice as to other options.

## **8. RESPONSIBILITY OF OFFICERS / MONITORING OFFICER**

8.1 The Headteacher and Chair of Governors have overall responsibility for the maintenance and operation of this Policy.

8.2 The Headteacher should be notified of all concerns raised through this Policy. All concerns raised and the outcomes (in a form which respects the individual's confidentiality) will be maintained by the School.

8.3 On request, an annual report on this Policy will be presented to the Full Governing Board.

## **9. CONTACTS**

Governor Services	01628 796680
Strategic Director of Children's Services	01628 796367
Head of Human Resources	01628 796992
Monitoring Officer	01628 796014

Head of Audit and Review (Financial issues)	01628 796233
Head of Finance (Financial issues)	01628 796230
Chief Executive	01628 796222
Leader of the Council	01628 796565

**EXTERNAL**

External Audit (KPMG)	020 7311 1000
Audit Commission (Whistleblowing Line)	0845 052 2646
Public Concern at Work	020 7404 6609

Your Local Union Representative  
[www.pcaw.co.uk](http://www.pcaw.co.uk)

**10. PUBLICITY**

10.1 This Policy is available to School staff and those who frequent the School, so that all internal and external parties related to the School are aware of its existence in the event they have a legitimate concern or complaint.

10.2 This Policy has been updated according to RBWM policy and guidelines. It will be reviewed on an annual basis or when there are changes in the law as advised by RBWM.

**Policy Review Date:** November 2016

**Approved by the Governing Board**

**Signature:**



**Date:** 29<sup>th</sup> November 2016