

St. Luke's C of E Primary School Governing Body Whistleblowing policy

Policy: GB/Whistleblowing
Committee: Full GB
Date of Review: Spring 2020
For review: Spring 2021

This policy is the Royal Borough of Kingston's Whistleblowing policy and gives the procedure to be followed by persons working at a school or school governors who are concerned or wish to complain about the management or any behaviour at a school.

1 POLICY STATEMENT

The school is committed to high quality services and being open, fair and honest.

The governing body has a duty to prevent dangerous or illegal actions at work. All staff, including those who work for a contractor or agency, have an important part to play. Often it is only through whistleblowing that information comes to light.

The school and the governing body will not tolerate the harassment or victimisation of anyone raising a genuine concern under this policy and will maintain confidentiality to ensure that you are protected.

The Governors of St Luke's School will review this policy annually.

2 INTRODUCTION

What is Whistleblowing?

Someone blows the whistle when they tell someone in authority about a dangerous or illegal activity that they are aware of through their work. This can include health and safety risks, environmental issues, fraud, poor standards of care and other problems.

Why does the school need a Whistleblowing procedure?

This procedure:

- Supports the Public Interest Disclosure Act.
- Gives you a way of raising concerns in a structured and supportive environment within the school.
- Means that you can feel confident to bring up genuinely held concerns without fear of recrimination.
- Shows the school's commitment to investigating and taking firm management action where wrongdoing may be proven.
- Encourages and enables you to raise concerns within RBK rather than overlooking problems or "blowing the whistle" outside the school.

Who can use the school's whistleblowing procedure?

- An employee of the school.
- Agency staff, trainees and self employed staff employed on school work.
- The staff of school contractors employed on school work.
- Partner agencies (including the NHS and voluntary sector groups undertaking work on behalf of or in conjunction with the school.
- Staff working in school.

When should I raise a concern?

If you find out about activities that harm clients of the school, colleagues working for the school, or the school itself. These may include:

- Illegal activities
- Miscarriages of justice
- Risks to health and safety
- Damage to the environment
- Misuse of public funds
- Fraud and corruption
- Abuse of clients
- Other wrongdoing, (including attempts to cover up wrongdoing)

For example, you could raise a serious concern about service provision, the actions of officers, or the actions of others acting on behalf of the school, which:

- Fall below the school's standards of practice, including the school's Code of Conduct for Employees
- Are against the school's Standing Orders and policies
- Amount to improper conduct

How does this procedure fit with the school's other procedures?

This procedure does not replace the Corporate Complaints Procedure for people who use the school's services or the Social Services Guidance for Staff Concerned about Staff Conduct Regarding Service Provision.

The whistleblowing procedure is about concerns regarding the public interest. If you are concerned about an issue relating to your personal position at work, you should use the Grievance procedure or another Human Resources procedure.

Role of Trade Unions

The whistleblowing procedure has been developed in consultation with Staff Side Representatives and Teachers' Professional Associations and has their full support. Your trade union will advise you on raising concerns and/or support you in doing so, as appropriate.

3 THE PROCESS

Who do I tell?

If you work in a school:

You should approach the Headteacher. But if you feel unable to do so or, you are concerned about something serious, you can approach the Chair of Governors, Director of Learning and Children's Services, Chief Executive, or the Joint Heads of Internal Audit & Investigations or a Councillor. You can raise a concern by talking to someone or writing to them.

Useful contact numbers:

- For staff in schools, concerns should be raised with the Chair of Governors, Director of Learning and Children's Services (020 8547 5220) or any of the officers listed below or a councillor.
- The Council's Monitoring Officer, Nick Bishop 020 8547 5110.

- The Chief Executive, Bruce McDonald on 020 8547 5150
- The Executive Head of Organisational Development and Strategic Business Sheila West on 020 8547 5153
- The Joint Heads of Internal Audit & Investigations, Alix Wilson or Diana Neaves on 020 8547 5125 or Fraud Manager, Veronika Siggers on 020 8547 5637
- The Chair of the Audit Committee (contact the Committee Clerk on 020 8547 4629)
- For staff in schools, concerns should be raised with the Chair of Governors, Director of Learning and Children's Services (020 8547 5220) or any of the officers listed above.
- Contact the Whistleblowing hotline on **0208 547 5696**

Is there any support available for me?

You can get the support of a staff representative, who may accompany you when raising a concern. Remember that by speaking up, it is not up to you to prove your concerns. However, you should be prepared to give the background and the reasons why you feel particularly troubled.

What is my role as a manager?

If a member of staff raised a concern with you, you should:

- i. Ensure you make a confidential record of the concerns raised
- ii. Then contact the Joint Heads of Internal Audit and Investigations or Human Resources who will advise on the next step in the process

It is your duty to pass this information on to the Joint Heads of Internal Audit and Investigations or your HR Business Partner to ensure that the appropriate action can be taken.

What happens next?

We will look into your concern to see what should happen. This may involve:

- An internal investigation
- An external auditor
- An independent inquiry
- The police

We will normally write to you within 10 working days of receiving your concerns. We will list them, tell you who is handling the matter, how you can contact them and whether we need your further help. We will also tell you where to get support if you need it.

What happens in an internal investigation?

If there is an internal investigation, a special investigations team will be set up. This team is responsible for gathering all relevant information and meeting with all relevant staff. The team may interview a number of staff.

When they have finished their investigation, they must produce a report on their findings. The report is then considered by senior management. Based on the findings, management will then decide what further action to take. This may include disciplinary action for anyone involved in any wrongdoing.

On the other hand, if the investigation finds that the concerns raised or allegations made by the person who has 'blown the whistle' are malicious, frivolous, or for personal gain, disciplinary action will be taken against them.

Depending on any legal restrictions on giving you information, we will let you know the outcome of any investigation.

Will I be involved in an investigation?

You may not want us to let people know that you have raised a concern. If we can investigate and resolve your concern without involving you, the school will not involve you further. If we are not able to resolve the problem without telling someone else who you are, we will always talk to you first.

The school encourages you to tell us who you are whenever possible as anonymous concerns are more difficult to investigate and the school cannot protect your position or give you any feedback if we don't know who you are.

Will I get into trouble? And will anyone find out that I have 'blown the whistle'?

The school does not allow the harassment or victimisation of anyone who raises a genuine concern. Harassment may result in disciplinary action.

But there may be a situation where you want to tell us of your concern and not let anyone else know that you have. If we are not able to resolve the problem without telling someone else who you are, we will always talk to you first.

Where can I get independent advice about raising a concern?

You can talk to:

- Your union
- An independent legal advisor
- The Independent Charity, Public Concern at Work, telephone number: 020 7404 6609 or email helpline@pcaw.co.uk. Their lawyers can give you free confidential advice on how to raise a concern about serious wrongdoing at work.

Can I take the matter further?

We encourage all staff to use the procedure. But if you are not satisfied with any action and you feel it is right to take the matter outside the school, you can contact the following organisations:

- The Health and Safety Executive 0845 300 9923
- The Audit Commission 020 7828 1212
- The Environment Agency 0800 807 060
- The Serious Fraud Office 0207 239 7272
- HM Revenue and Customs 020 7239 7388
- The Department for Business Innovation and Skills 020 7215 5000
- The Charity Commission 0845 300 0218
- The Information Commissioner 01625 545 745
- Care Quality Commission 0207 448 9200
- External Audit 020 8547 5599

What is the Public Interest Disclosure Act (1998)?

The Public Interest Disclosure Act provides workers with protection from dismissal or other damage as a result of making a disclosure of information in the public interest about wrongdoing at work. Such disclosures are protected if they are done according to the Act's provisions. Disclosures may be made to the employer, prescribed regulatory bodies or on a wider basis to the Police. The Act's protection is strongest where the workers raise the matters with their employers.

Telling other people confidential information

Giving out information about third parties to whom the school owes a duty of confidence may not be protected under the Public Interest Disclosure Act. This may lead to disciplinary action. If you are in any doubt you should seek advice from your manager, union, lawyer or Public Concern at Work (020 7404 6609).

Concerns about safeguarding practices can be raised externally using the NSPCC whistleblowing helpline. Employees can call 0800 028 0285 or email help@nspcc.org.uk.

Who is responsible for this policy?

- The governing body.
- The Executive Head of Organisational Development and Strategic Business has overall responsibility for supervising the use of this Procedure.
- The Head of Legal Services, who is the Statutory Monitoring Officer, must in appropriate cases report to the school on any proposal, decision, or omission by the school, or any of its Panels or Committees, the Cabinet or officers which contravenes the law or causes mal-administration or injustice.
- Managers must ensure that the Monitoring Officer is alerted in appropriate cases.

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