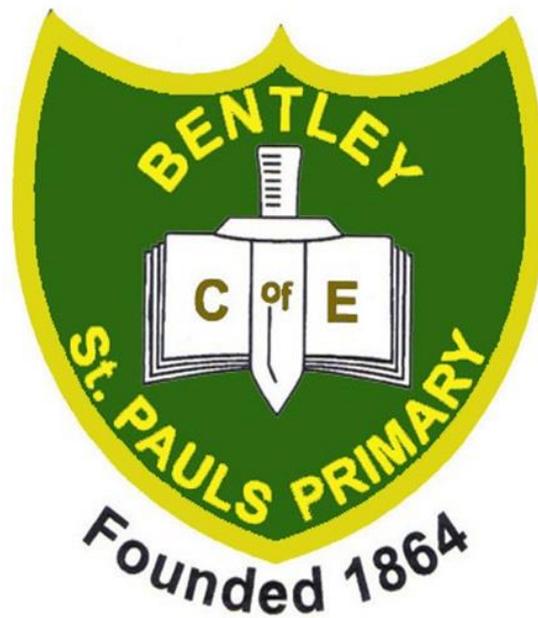


BENTLEY ST PAUL'S C OF E PRIMARY SCHOOL

POLICY FOR WHISTLE BLOWING



'Growing together in faith, love and trust, we will succeed.'

Date of Policy: September 2017

Date of Review: September 2018

Whistle Blowing Policy

Introduction

The Governors of Bentley St Paul's Primary School are committed to the highest possible standards of openness, probity and accountability. In line with this commitment, we encourage employees and others with genuine concerns about aspects of the school's procedures or activities to come forward and voice those concerns.

This policy document makes it clear that such concerns may be raised without fear of reprisals. The whistleblowing policy is intended to encourage and enable employees to raise such concerns within their school or, where appropriate, the Local Authority rather than overlooking the problem or blowing the whistle outside.

This policy applies to all staff, agency workers and supply staff and those contractors working on the school premises, and allows them to raise concerns about the management of the school with the governing body or to raise concerns about the governance of the school with Local Authority officers.

Scope of the Policy

This policy aims to:

Provide avenues for you to raise genuine concerns and receive feedback on any action taken; Allow you to take the matter further if you are dissatisfied with the Governing Body or Local Authority response; Reassure you that steps will be taken to protect you from reprisals or victimisation for whistleblowing in good faith.

This policy does not apply to grievances relating to your own employment or to certain other issues such as child protection or discrimination. There are other, existing procedures in place to enable you to lodge a concern relating to these other types of issue. A copy of all current school policies may be found on the school's website or obtained from the school office.

Examples of concerns that are covered by this policy are provided in Appendix 1.

Safeguards

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. The Governing Body will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith.

Confidentiality

The Governing Body will do its best to protect your identity when you raise a concern. However, it must be appreciated that, in the interests of natural justice, any investigation process may reveal the source of the information and a statement by you may be required as part of the evidence.

Anonymous Allegations

You are strongly encouraged to put your name to any allegation. Concerns expressed anonymously are much less powerful and those investigating the matter will not be able to request additional information from you nor provide feedback to you. Anonymous allegations will be considered and any action taken at the discretion of the governing body and/or Local Authority. In exercising this discretion, the following factors will be taken into account when considering how to deal with any allegations:

The seriousness of the issues raised; The credibility of the allegation; and The likelihood of confirming the allegation from attributable sources.

Malicious or Vexatious Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make a malicious or vexatious allegation, disciplinary action may be taken against you in accordance with the School's Disciplinary Procedure.

How to Raise a Concern

As a first step, you should normally raise concerns with your immediate line manager or Headteacher, either of whom will report it to the Chair of Governors. This depends, however, on the seriousness and sensitivity of the issues involved and who you think may be involved in the malpractice. For example, if you believe that your line manager is involved, you should approach your Headteacher. If you feel the Headteacher may be involved, your Chair of Governors should be approached.

If the concern is about the Governing Body, the matter should be raised with an appropriate Local Authority officer. The LA switchboard or website can provide details of the appropriate person(s) to contact.

Concerns are better raised in writing. You are advised to set out background and history of your concerns, giving names, dates and places, where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or arrange to meet an appropriate member of staff, Governor or Local Authority officer who will agree a written statement with you. If you are a member of a Trade Union you may find it helpful to take advice from them about putting your concerns

in writing or you may ask your trade union representative to raise the matter on your behalf.

The earlier you express your concern, the easier it is for the Governing Body or Local Authority to take action.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person you contact that there are sufficient grounds for initial enquiries to be made.

How the Governing Body or Local Authority Will Respond

The action taken by the Governing Body or Local Authority will depend on the nature of the concern. The matters raised may: Be investigated internally; Be referred to the Police; Be referred to an external Auditor; Form the subject of an independent enquiry.

In order to protect individuals, the Governing Body and the Local Authority, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Some concerns may be resolved by agreed action without the need for an investigation.

Within ten working days of a concern being received, the Governing Body or the Local Authority will write to you: Acknowledging that the concern has been received; Indicating how it proposes to deal with the matter; Giving an estimate of how long it will take to deal with the matter; Telling you whether any initial enquiries have been made; and Telling you whether further investigations will take place, and if not, why not.

The amount of contact between you and the Governors and/or Local Authority officers will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. Further information will be sought from you if necessary.

When any meeting is arranged to discuss your concerns, you have the right, if you so wish, to be accompanied by a trade union representative (if you are a member) or a work colleague who is not involved in the area of work to which the concern relates and who also could not be called as a witness.

The Governing Body or Local Authority will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Governing Body or Local Authority will advise you about the procedure.

The Governing Body and the Local Authority accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcome of any investigations.

Any person who is subject of an allegation should, at the appropriate times, be given details of the allegation in order to respond. They will have the right to trade union representation if they belong to a trade union.

How the Matter can be Taken Further

This policy is intended to provide you with an avenue to raise concerns with your Governing Body or with the Local Authority. The Governing Body and the Local Authority hopes you will be satisfied with the outcome. If you are not, and you feel it is right to take the matter outside the Local Authority, the following are possible contact points:

- Department for Education (DfE);
- The General Teaching Council;
- Your local Council member (if you live in the area of the Council);
- Ombudsman; External Auditor;
- Relevant professional bodies or regulatory organisations;
- Your solicitor; The Police;

Other bodies prescribed under the Public Interest Disclosure Act 1998 e.g.:

- The Audit Commission for England and Wales
- Data Protection Registrar
- Serious Fraud Office
- Environment Agency
- Health and Safety Executive
- The Standards Board for England
- Environment Agency
- Information Commissioner

If you do take the matter outside your Governing Body or Local Authority, you need to ensure that you do not disclose confidential or privileged information. Where confidential or privileged information is inappropriately disclosed you may be subject to disciplinary action. Employees considering such action should make themselves aware of Part IVA of the Employment Rights Act 1996 as inserted by the Public Interest Disclosure Act 1998.

Review and Monitoring

This policy will be reviewed and monitored on an annual basis.

APPENDIX 1

Examples of Concerns

Although not exhaustive, this appendix illustrates the kinds of issue the Governors or the Local Authority Council would consider as malpractice or wrongdoing that could be raised under this whistleblowing policy.

- Poor or unprofessional practice by a member of staff, Governor or an agency worker which results in one person not getting the same quality of service which is available to others;
- Improper or unacceptable behaviour towards another person which could take the form of emotional, sexual or verbal abuse, rough handling, oppressive or discriminatory behaviour or exploitative acts for material or sexual gain;
- Any unlawful activities, whether criminal or in breach of civil law;
- Fraud, theft or corruption; Concerns regarding intentional breaches of Health and Safety Regulations;
- Harassment, discrimination, victimisation or bullying; Leaking confidential information in respect of School activities and/or records;
- Undertaking of undisclosed private work which may conflict with duties and responsibilities, or which are being carried out during work time;
- Taking gifts or inducements; Inappropriate use of external funding or school budget;
- Maladministration as defined by the Local Government Ombudsman;
- Breach of any Statutory Code of Practice;
- Breach or failure to implement or comply with any Governing Body policy;
- Misuse of school assets, including computer hardware and software, buildings, stores, vehicles.