



THE BEMROSE SCHOOL

WHISTLEBLOWING POLICY

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INTRODUCTION

The Public Interest Disclosure Act 1998 protects workers who speak out in the public interest about fraudulent, criminal or dangerous activities, wrong doings or malpractice at work. Employees are often the first to realise that there may be something seriously wrong within an organisation. However, they may not express their concerns because they fear harassment or victimisation. They may also feel that speaking up would be disloyal to their colleagues or to the organisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The Governing Body [GB] is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we expect employees, 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. It is recognised that most cases will have to proceed on a confidential basis.

This Code makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting Policy is intended to encourage and enable employees to raise serious concerns within the school rather than overlooking a problem or "blowing the whistle" outside. It is also designed to protect employees from malicious allegations.

The Code applies to all employees and those contractors working for the school on school premises, for example, agency staff, builders, drivers and cleaners. The school follows the ACAS and Department of Work and Pensions guidance

<http://www.dwf.co.uk/news-events/legal-updates/2015/04/guidance-for-employers-on-whistleblowing-how-would-you-respond/>

<https://www.gov.uk/government/publications/whistleblowing-guidance-and-code-of-practice-for-employers>

These procedures are in addition to the school's complaints procedures.

AIMS AND SCOPE OF THIS CODE

This Code aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide an avenue for you to raise those concerns and receive feedback on any action taken
- make sure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The Confidential Reporting Code is intended to cover major concerns that fall outside the scope of other procedures. These include:

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse of staff or students, or
- other unethical conduct.

Therefore, you can report any serious concerns that you have about any aspect of service provision or the conduct of staff or governors of the school or others acting on behalf of the school under the Confidential Reporting Code. This may be about something that:

- makes you feel uncomfortable in terms of known standards you experience or the standards you believe the school subscribes to;
- falls below established standards of practice; or
- amounts to improper conduct.

HARASSMENT OR VICTIMISATION

The school is committed to good practice and high standards and wants to be supportive of employees. The school recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

The school will not tolerate any harassment or victimisation, including informal pressures, and will take appropriate action to protect you when you raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

CONFIDENTIALITY

All concerns will be treated in confidence and we will make every effort not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

ANONYMOUS ALLEGATIONS

This Code encourages you to put your name to your allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the School. In exercising this discretion, the factors to be taken into account would include the:

- seriousness of the issues raised
- credibility of the concern
- likelihood of confirming the allegation from attributable sources.

UNTRUE ALLEGATIONS

If you voice suspicion in good faith but it is not confirmed by the investigation, no action will be taken against you. If the investigation concludes that you have fabricated the allegations, disciplinary action may be taken against you.

HOW TO RAISE A CONCERN

As a first step, you should normally raise concerns with your immediate manager, Executive Headteacher or their superior. This depends however on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that the Executive Headteacher is involved, you should approach the Chair of governors. The chair can be contacted by email through the Clerk to Governors at

jgrant@bemrose.derby.sch.uk

Concerns may be raised orally or in writing. If you wish to make a written report you should use the following format:

- the background and history of the concern (giving relevant dates if possible)
- the reason why you are particularly concerned about the situation.

The earlier you express the concern, the easier it is to take action.

Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

You can get advice/guidance on how to pursue matters of concern from:

- Chief Executive Tel 643546
- The Monitoring Officer Tel 256666
- Director of Finance Tel 643377
- Head of Audit Tel 643369

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two, or more, of you who have had the same experience or concerns.

You may invite your trade union, professional association representative or a colleague to be present during any meetings or interviews in connection with the concerns you have raised.

HOW THE SCHOOL WILL RESPOND

The School will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them. Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary process
- be referred to the Police
- be referred to the external auditor
- form the subject of an independent inquiry

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the school will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures, such as child protection or discrimination issues, will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted. Within ten working days of a concern being raised, the Executive Headteacher will write to you:

- acknowledging that the concern has been received
- indicating how she proposes to deal with the matter
- giving an estimate of how long it will take to provide a final response

- telling you whether any initial enquiries have been made
- supplying you with information on staff support mechanisms
- telling you whether further investigations will take place and, if not, why not.

The amount of contact between the Executive Headteacher considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the school will seek further information from you.

Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union, or professional association representative, or a friend. The school will take all practical steps to minimise any difficulties which you may experience either at the time, or in the future, as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the school will arrange for you to receive advice about the procedure and will arrange for someone to attend for support if you have not arranged your own support.

The School accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

THE RESPONSIBLE OFFICER

The Executive Headteacher has overall responsibility for the maintenance and operation of this policy. The Executive Headteacher maintains a record of concerns raised and the outcomes, in a form which does not endanger your confidentiality, and will report as necessary to the School.

HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide you with an avenue within the school to raise concerns. The school hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the school, the following are possible contact points:

- the external auditor
- your trade union
- your local Citizens Advice Bureau
- relevant professional bodies or regulatory organisations
- a relevant voluntary organisation
- the Police.

If you do take the matter outside the School, you should make sure that you do not disclose confidential information.

PERFORMANCE INDICATORS

1. The number of reports made under this policy

