



# Aston Lodge Primary School Whistleblowing Policy

Updated: January 2020

## INTRODUCTION

This policy applies to all Wickersley Partnership Trust employees working in schools across the Trust.

Each school in the Trust 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 their school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

Employees are often the first to realise that there may be something seriously wrong within their school and have a duty to report such matters. However, they 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. However, employees should not simply ignore their concerns.

This policy document makes it clear that employees can come forward and express their concerns 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.

Managers should take in to account the translation and interpretation needs of the individual. The policy applies to all employees and those contractors working for the school on school premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with the school.

These procedures are in addition to the school's complaints procedures and other statutory reporting procedures applying to some Departments.

## AIMS AND SCOPE OF THIS POLICY

This policy aims to:

- encourage employees to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues for employees to raise those concerns and receive feedback on any action taken
- ensure that employees receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied

- reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

There are existing procedures in place to enable employees to lodge a grievance relating to their own employment including any breach of the school's Equal Opportunities Policies or bullying and harassment. 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 relating 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
- other unethical conduct.

Thus, any serious concerns that employees have about any aspect of service provision or the conduct of officers or members of the school or others acting on behalf of the school can be reported under the Confidential Reporting Policy.

This may be about something that:

- makes employees feel uncomfortable in terms of known standards, their experience or the standards they believe the school subscribes to; or
- is against the school's policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

### **ANONYMOUS ALLEGATIONS**

This policy encourages employees to put their name to their 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
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

### **CONFIDENTIALITY**

All concerns will be treated in confidence and every effort will be made not to reveal employees' identity if they so wish. At the appropriate time, however, employees may need to come forward as a witness.

### **SAFEGUARDS**

#### **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 employees are saying is true, they should have nothing to fear because they will be doing their duty to their employer and those for whom they are providing a service.

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

Any investigation into allegations of potential malpractice will not influence or be influenced by any other employment procedures that already affect employees.

The Public Interest Disclosure Act 1998 gives legal protection to employees who disclose information, in good faith, about alleged wrongdoing.

### **UNTRUE ALLEGATIONS**

If employees make an allegation in good faith and with reasonable belief, but it is not confirmed by the investigation, no action will be taken against them. If, however, employees make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

### **HOW TO RAISE A CONCERN**

Employees should raise concerns with the Head teacher, Executive Head or Chair of Governors. Concerns may be raised verbally or in writing. Employees who wish to make a written report are invited to use the following format:

- please mark envelope “to be opened by addressee only”
- the background and history of the concern (giving relevant dates);
- the reason why they are particularly concerned about the situation.

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

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

Obtain advice/guidance on how to pursue matters of concern from the Headteacher.

Employees may wish to consider discussing their concern with a colleague or their trade union first and they may find it easier to raise the matter if there are two (or more) of them who have had the same experience or concerns.

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

### **HOW THE SCHOOL WILL RESPOND**

Where appropriate, the matters raised may:

- be investigated by SLT or through the disciplinary process
- be referred to the police
- 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, be it an Internal or external enquiry. 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 (for example, child protection 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 person to whom it is expressed will write to the employee:

- acknowledging that the concern has been received
- indicating how we propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling the employee whether any initial enquiries have been made
- supplying the employee with information on staff support mechanisms, and
- telling the whether further investigations will take place and if not, why not.

The amount of contact between the staff considering the issues and the employee 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 the employee.

Where any meeting is arranged, off-site if employees so wish, they can be accompanied by a union or professional association representative or a friend.

The school will take steps to minimise any difficulties which employees may experience as a result of raising a concern. For instance, if employees are required to give evidence in criminal or disciplinary proceedings the school will arrange for them to receive advice about the procedure.

The school accepts that employees need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will keep them informed of developments every twenty-eight days and the outcome of any investigation.

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

This policy is intended to provide employees with an avenue within the school to raise concerns. The School hopes employees will be satisfied with any action taken. If they are not, then they can request the Headteacher to refer the matter for consideration by the Trustees of Wickersley Partnership Trust.

You are advised that disclosure to the press is not encouraged and will not normally be legally protected.

## **Appendix 1**

### **ANTI-FRAUD STRATEGY - STATEMENT & PROCEDURES**

The School is committed to the proper accountability of public funds and condemns all actions that are of a fraudulent and corrupt nature. As part of this commitment to public accountability the Council expects that: -

#### **1. Members**

Shall fulfil their duties in accordance with the requirements of "the school's Code of Conduct for Members and Co-opted Members".

#### **2. Employees**

In accordance with the Code of Official Conduct as issued to employees.

Declare to their line manager any other form of employment in addition to their function within the school. The details are to be entered in the "Register of Interests Declared by Employees", copies of which are held in the Finance Office.

#### **3. Members and Employees**

Protect public interest and confidence as the over-riding factor when decisions are to be made in relation to matters that involve an element of private interest. Where doubt exists over the correct procedure, advice should be sought from the Headteacher.

When making decisions regarding public appointments or recommending individuals for awards or benefits, both monetary and otherwise, that the decision taken is based purely on merit in accordance with defined guidelines.

Be accountable to the public for their decisions and actions including subjecting themselves to whatever scrutiny is appropriate to their office. To openly give reasons for their decisions and actions except in cases where the wider public interest requires a restriction of such information.

Declare any private interest which is relevant to their public duties by making an appropriate entry in the Register of Interests. Private interest is defined as both of a monetary and non-monetary nature, where the interest might be perceived by the public to influence the decision making process.

Make decisions solely in pursuance of the school's statutory functions and declared policies at the exclusion of private and personal interest.

Comply with the Financial Regulations and the Standing Orders of the school at all times. Award contracts in accordance with the school's Financial Regulations and Standing Orders and that successful tenderers are selected in accordance with defined guidelines relating to the evaluation of contracts.

Avoid placing themselves under any obligation to external individuals or organisations that may influence, or be perceived to influence them, in the performance of their duties.

Accept offers of hospitality and gifts only in cases where it can be readily justified on the basis that by accepting the offer the school will derive direct benefit from such actions. All offers of hospitality and gifts that are accepted must be entered in the Register of Gifts, Legacies and Hospitality.