

Hatfeild Primary School

Whistleblowing Policy



This policy has been written with reference to the Public Disclosure Act 1998 and London Borough of Merton's Guidance.

Review: Annually

Signed: _____ Chair of Governors

_____ Headteacher

Date: December 2021

Review Date: December 2022

Whistleblowing Policy

Purpose

Hatfeild School is committed to the highest standards of openness, probity and accountability. In line with this commitment, the school encourages employees with serious concerns about the school's work to come forward and voice those concerns. This also applies to concerns about the activities of staff, governors and external organisations in their dealings with the school, in line with the Public Interest Disclosure Act 1998 (www.opsi.gov.uk/acts/acts1998)

This policy:

- provides the basis on which employees can raise any such concerns they may have, and receive feedback on action taken;
- allows employees to take the matter further if they are dissatisfied with the school's response; and
- gives protection from reprisals or victimisation for 'whistleblowing' in good faith.

The Policy

There are existing procedures in place to enable employees to raise grievances about their own employment. This policy is intended to cover concerns that fall outside the scope of individual grievances. The concern may be about something that:

- is unlawful;
- is malpractice i.e. inappropriate use of delegated budgets, tampering with tender documents to advantage a particular party, manipulation of accounting records and finances, decision making for personal gain, inappropriate use of school assets, deceit, abuse of position;
- is against the school's policies;
- amounts to improper conduct;
- seems likely to harm somebody or the environment; or
- represents a cover-up of these sorts of issues.

This policy applies to all employees.

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 reprisals from those responsible for the malpractice. The school will not tolerate harassment or victimization. Disciplinary action will be taken against any member of staff who tries to stop another employee from raising a

concern or who is responsible for any act of recrimination or victimization against an employee who raises a concern in good faith.

Confidentiality

The School will protect the identity of employees who raise concerns and do not want their name to be disclosed. It must be appreciated, however, that the investigation may reveal the source of the information, and statements made by the employees who raised the issue may be required as part of the evidence. The School encourages employees to put their name to allegations made. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the school. In exercising this discretion, the factors to be taken account of will include:

- the seriousness of the issue raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

Untrue allegations

If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the employee. However, if employees make allegations that are malicious or vexatious, disciplinary action against them is likely.

How to Raise a Concern

The earlier employees express their concern the easier it is to take action. They should be reassured that their concern is being raised in confidence so that appropriate arrangements can be made.

As a first step an employee should normally raise concerns with their Head Teacher or member of the Senior Management Team or Chair of Governors. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. Employees who feel that they cannot approach management in the school should approach either:

- Vice Chair of Governors
- Staff Governor
- or the Local Authority if the employee is seeking anonymity from the school and the governing body.

Concerns are better raised in writing. This should set out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee is concerned about the situation.

An employee who does not feel able to put their concerns in writing can telephone or meet the appropriate officer. (The Local Authority will normally only follow up investigations where the informant put their allegation in writing providing a name and contact number. However, anonymous allegations may be investigated at the discretion of the Local Authority).

Employees may invite their trade union or professional association to raise the matter in conjunction with them.

How Will the School Respond?

The action taken by the School will depend on the nature of the concern. The matters raised may for example:

- be investigated internally;
- be referred to the Police.

In order to protect individuals and the School, 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 investigation.

Within two weeks of a concern being received, the Chair of Governors or appropriate member of school staff will write to the employee who raised the issue:

- acknowledging that the concern has been raised;
- indicating how the matter will be dealt with;
- where possible, giving an estimate of how long it will take to provide a final response and;
- telling the employee whether further investigations will take place and if not, why not.

The amount of contact between the investigators considering the issue and the employee who has raised the issue will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the employee.

When any meeting is arranged with the employee, they will be given the right to be accompanied by a representative or fellow worker who is not involved in the area of work to which the concern relates.

If the Senior Management Team/Chair of Governors decides it is appropriate for an investigation to take place then advice will be sought from the Local Authority. Where it is necessary to safeguard children or vulnerable adults the appropriate procedures will be followed. In addition where it is established that the complaint involves bullying or unlawful discrimination it will be necessary to seek appropriate professional advice.

If an investigation is carried out you will always be informed of the final outcome. It might not be possible to provide full details if the information contains personal details of a third party or is subject to legal or contractual constraints.

Taking the Issue Further

This policy is intended to provide employees with an avenue to raise relevant concerns within the school. It is hoped that employees will be satisfied with the action taken as a result.

If an employee is not satisfied, and feels it is right to take the matter outside the school, the following are possible contact points, some or all of which may be appropriate:

- relevant professional bodies or regulatory organisations;
- where the complaint is about financial management or propriety then the employee can contact:
- the School's Financial Support Principal Officer (tel: 020 8545 3336) at Merton Borough;
- other members of the Local Authority who will follow investigation protocol
- the Police;
- the charity Public Concern At Work (tel: 020 7404 6609).

If an employee does take the matter outside of the school, they must make sure that they do not disclose confidential information.

Management of the Policy

The Governing Board has overall responsibility for the maintenance and operation of this policy. They will maintain a record of concerns raised and the outcomes which will be minuted and available for inspection at the request of the Governing Board

Guidance for Managers on Responding to a Matter of Concern Raised by an Employee

School managers should:

- ensure that employees are aware of the Whistleblowing Policy and know where it can be located;
- take the matter seriously and do not dismiss or belittle the information;
- respect as far as possible the confidentiality of the employee, and adhere to the policy where the employee has specifically asked for confidentiality;
- ensure that the employee understands the Whistleblowing procedure;
- acknowledge the concern in writing within two weeks;
- discuss ways that the employee can be supported;
- investigate the concern objectively, dealing with all parties with sensitivity and tact;
- seek advice from the Merton's Human Resources Department;
- seek advice and involve other school or local authority managers as appropriate;
- set out clearly how the concern is to be taken forward;
- ensure that notes are made and kept of the process followed, notes of discussions etc.;
- keep the person raising the concern informed about the progress made and the outcome of the investigation;
- seek advice from the headteacher or Local Authority Human Resources Department if in your view the concern was not raised in good faith;
- report to the Head of Education at Merton Borough, if the concern relates to fraud.

In Summary

DO

- Make an immediate note of your concerns
 - a. Note all relevant details, such as what was said in telephone or other conversations, the date, time and the names of parties involved.
 - b. Note any documentary evidence that may exist to support your claim but do not interfere with this evidence.
- Report your concerns to your school manager / headteacher
- Deal with the matter quickly. Any delay could allow the problem to continue and escalate and evidence to disappear
- Think about risks and outcomes before you act
- Follow the guidance provided and contact the appropriate officer



DON'T

- Do nothing and let it go unreported
- Be afraid of raising concerns
- Approach and accuse individuals directly
- Try and investigate the matter yourself
- Convey your suspicions to anyone except those of the proper authority as set out in our policy.
- Use the whistleblowing procedure to pursue a personal grievance

IF IN DOUBT – RAISE IT