



# **WHISTLEBLOWING (CONFIDENTIAL REPORTING)**

**Review Date:**

## Introduction

Littlegreen School is committed to conducting its business with honesty and integrity, and expects all staff to maintain high standards in accordance with their contractual obligations and school policies and procedures.

However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them if they do occur.

Employees are often the first to realise that there may be something seriously wrong within their school. However, they may not say anything because they feel that speaking up would be disloyal to their colleagues. They may also fear harassment or victimisation. It may be easier for them to ignore the concern rather than report what may just be a suspicion of malpractice.

The school is committed to the highest possible standards of openness, probity and accountability. So we expect employees, and others we deal with, who have serious concerns to come forward and voice them.

This policy document makes it clear that you can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing (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. These rules are important, but underlying the rules is the commitment of the school's governing body that the school should be an organisation which has a culture of improvement and openness, and not control and blame.

The policy applies to all school employees (regardless of contract type), volunteers, interns, secondees and those contractors working for the school and County Council on Council premises, for example, agency staff, Capita staff, builders or drivers. It also covers suppliers and those providing services under a contract with the school in their own premises.

These procedures do not stand-alone and are in addition to, for example, the school's grievance procedures and other personnel procedures as well as the complaints and other relevant reporting procedures agreed by governors. Where other procedures are activated simultaneously, a clear agreement will be reached between the responsible officer who is investigating the concern and the individual making the report about the separate procedures, with agreed programmes for each and an agreement as to whether or not information can be shared for the purposes of each procedure.

This policy has been discussed with the relevant trade unions and professional organisations and has their support.

## **Aims and Scope of this Policy**

There are existing procedures in place for you to lodge a grievance relating to your own employment. The Whistleblowing Policy is intended to cover major concerns that fall outside those procedures. These include:

- Conduct which is a criminal 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, physical or verbal abuse
- Any other unethical conduct.

You should speak to your line manager in the first instance about which procedure is most appropriate for your concern but you may also contact one of the officers listed below for such advice. It may often be better for you to use one of these procedures as it may fit into a system which has the authority to sort the problem quickly and effectively.

Any serious concerns that you have about any aspect of service provision within the school or the conduct of staff employed by the school or others acting on behalf of the school can be reported under the Whistleblowing Policy. This may be about something that:

- Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the school subscribes to
- Is against the school's policies
- Amounts to improper conduct
- Threatens the reputation and standing of the County Council

You do not have to refer to the Whistleblowing Policy to have an issue or complaint dealt with under the Policy.

## **This Policy Aims to:**

- Encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice
- Provide avenues for you to raise those concerns and receive feedback on any action taken
- Ensure 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

If you are not covered by the categories of individuals set out above the County Council's corporate Complaints Procedure is available to you. This may be found on the County Council's website.

## **Safeguards: Harassment or Victimisation**

The governing body is committed to good practice and high standards, and want to be supportive of employees.

The governing body recognises that the decision to report a concern can be a difficult one to make. If you believe 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 governing body 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, disciplinary or redundancy procedures that already affect you.

## **Confidentiality**

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness. You should make clear when you raise the matter whether you wish the matter to be kept confidential. It means you should not be afraid of giving your name when you want to make a complaint.

This policy encourages you to put your name to your concerns whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Local Authority.

In exercising this discretion the factors to be taken into account would include:

- The seriousness of the issues raised
- The credibility of the concern
- Being able to confirm the allegation from attributable sources.

The responsible officer may ask you to justify your original concern in further detail if his/her investigation fails to substantiate it.

## Untrue Allegations

If you express a concern with a reasonable belief in a potential breach, but it is not confirmed or cannot be proved by the investigation, no action will be taken against you.

If, however, you make an allegation frivolously, maliciously or for personal gain, and the investigation confirms this, then 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 or, if appropriate, a more senior manager. If you believe senior leadership are involved you may consider contacting the Chair of Governors. This depends on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.

The County Council has a Contact Officer who will have been trained and will have a lead role in advising on the procedure of the Whistleblowing Policy. They can give you advice on how to deal with your concerns and they can take forward a concern for investigation. Any advice they give you will be strictly confidential. You do not have to use the Contact Officer for your own directorate or business unit. If for example you have a problem which you feel has a legal aspect (for example if you think the conduct complained of could be criminal) you may feel it more appropriate to deal with the Legal Contact Officer. If it relates to financial problems the Internal Auditor might be appropriate.

## The Contact Officers are:

**Lead Contact Officer** Tony Kershaw Monitoring Officer Director of Law and Assurance  
(Contact no. 033022 22662)

**Chief Executive's Office** Dave Loveman (Contact no. 033022 28804)

**Finance and Procurement** Katharine Eberhart (Contact no. 033022 22087 )

**Safeguarding**, Sam Bushby (Contact no: 07595 964262)

**Education and Skills and Schools**, Stuart Powell (Contact no: 0330 22 25883)

Concerns may be raised orally initially but should be recorded in writing. Staff who wish to make a written report are invited to use the following format:

- the background and history of the concern (giving relevant dates)
- the reason why you are particularly concerned about the situation
- Your connection to the matter and the names of other persons who could assist in gathering information about it
- Your reasons for needing confidentiality – are there particular persons who should not be told?
- The reason why the County Council should become involved (where it is not directly connected to the matter)

Your contact officer will provide any help you need in expressing your concern.

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 concern.

## **Contacts for independent external advice**

You may at any stage want to obtain help or advice from outside the school and this can be obtained from a charitable organisation called **Public Concern at Work**. They can be contacted through their web site [www.pcaw.co.uk](http://www.pcaw.co.uk) They have a help line at [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk) and can provide advice through: [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk) Their telephone number is 0207 404 6609.

**Audit Commission's confidential public interest disclosure line** T: 0303 444 8346  
<http://www.audit-commission.gov.uk/about-us/contact-us/whistleblowing>

If your concern is about a financial issue you can use the **Anti-Fraud Hotline**  
[fraudhotline@westsussex.gov.uk](mailto:fraudhotline@westsussex.gov.uk) 01243 777629

The Anti-Fraud and Corruption Policy can be found in the Schools HR Guide, which is available to download from the WSGfL.

You may wish to consider discussing your concern with a colleague first and you might 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 friend to be present during any meetings or interviews in connection with the concerns you have raised. Anyone who helps you will need to respect the confidentiality of the investigation.

## **How the Local Authority will Respond**

The Local Authority will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

The person you contact, whether it is your manager, a Contact Officer, a Responsible Officer or the Monitoring Officer, will either deal with your issue or nominate someone to do so who will not have been involved in the issue themselves and will know how to carry forward this policy.

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; and form the subject of an independent inquiry, for example, through the Area Child Protection Committee for child abuse

In order to protect individuals who may be the subject of your concern and people against whom allegations of misdeeds or possible malpractice are being made, the responsible officer will make initial enquiries to decide whether a fuller investigation is appropriate. He/she will also decide what form the investigation should take.

If the concern is about vulnerable individuals, or a criminal activity, action will be taken promptly to protect the individual and prevent further offences. The overriding principle which the Local Authority will have in mind is the public interest. If the person

nominated to deal with your issue finds aspects of the concerns fall outside the scope of this Policy, but which still need to be addressed, they will normally be referred for consideration, but will not be allowed to delay the investigation under the Policy.

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 with the person dealing with your issue they will write to you indicating:

- Acknowledgment that the concern has been received
- Indicating how we propose to deal with the matter
- An estimate of how long it will take to provide a final response
- Whether any initial enquiries have been made
- Information on staff support mechanisms
- Whether further investigations will take place and if not, why not
- The Monitoring Officer has been informed that an issue has been raised under this policy

The amount of contact between the officers 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 Local Authority will seek further information from you.

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

The 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 Local Authority will arrange for you to receive advice about the procedure and where appropriate financial or other support.

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

## **The Monitoring Officer**

The Monitoring Officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Council, including regular anonymised reports to the Standards Committee on the number and general nature of reports received by the Monitoring Officer. They will also be responsible for ensuring that proper and timely progress is made in dealing with any complaint and that the principles and requirements of this policy are met.

## **How the Matter can be Taken Further**

This policy is intended to provide you with an avenue within the school to raise concerns. The Local Authority 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 Local Authority, 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

## **Other appropriate authorities**

### **Her Majesty's Chief Inspector of Education, Children's Services and Skills ('the Chief Inspector')**

Contact them about matters relating to regulation and inspection of children's social care.

# WHISTLEBLOWING POLICY

Ofsted  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

Tel: 0300 123 3155

Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)

## **The Information Commissioner**

Contact them about compliance with the requirement of legislation relating to data protection and to freedom of information.

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF

Tel: 0303 123 1113 Email: [casework@ico.org.uk](mailto:casework@ico.org.uk) Website: [www.ico.org.uk](http://www.ico.org.uk)

## **Office of Qualifications and Examinations Regulation**

Contact them about matters in relation to which the Office of Qualifications and Examinations Regulation exercise functions under the Apprenticeships, Skills, Children and Learning Act 2009.

Casework Manager  
Ofqual  
Spring Place  
Coventry Business Park  
Herald Avenue  
Coventry  
CV5 6UB

Tel: 0300 303 3346

Email: [Public.Enquiries@ofqual.gov.uk](mailto:Public.Enquiries@ofqual.gov.uk) Online form: [www.ofqual.gov.uk/complaints-and-appeals/whistleblowing/](http://www.ofqual.gov.uk/complaints-and-appeals/whistleblowing/)

## Secretary of State for Education

Contact them about matters relating to the following educational institutions in England:

- maintained schools
- maintained nursery schools
- independent schools (including academies and free schools)
- non-maintained special schools
- pupil referral units
- alternative provision academies
- 16-19 academies (and free schools)
- sixth form colleges
- special post-16 institutions

Ministerial and Public Communications Division

Department for Education

Piccadilly Gate

Store Street

Manchester

M1 2WD

Tel: 0370 000 2288 Website: [www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)

## The Health and Safety Executive

Contact them about:

- the industries and work activities for which the Health and Safety Executive is the enforcing authority under the Health and Safety (Enforcing Authority) Regulations 1998
- the health and safety of individuals at work, or the health and safety of the public arising out of or in connection with the activities of persons at work

Tel: 0300 003 1647 Online form: [www.hse.gov.uk/contact/raising-your-concern.htm](http://www.hse.gov.uk/contact/raising-your-concern.htm)

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If you do take the matter outside the Local Authority, you should ensure that you do not disclose confidential information. Check with a Contact Officer about that.

Whistleblowing directly to the media could result in loss of employment protection outlined in this policy.

**Approved/Ratified by Governors:**

**Review Date:**