



# DEVONPORT HIGH SCHOOL FOR GIRLS

## WHISTLEBLOWING POLICY & GUIDANCE

Named person: Mrs A E Hems

Category: School

Review: Bi-annually

Date to be reviewed: Summer 2020

**This policy has been reviewed with regard to the work/life balance of staff.**

Adopted by the Governors' Policy Committee on: 09/07/18

Ratified at the Full Governors' meeting on: 11/07/18



# DEVONPORT HIGH SCHOOL FOR GIRLS

## WHISTLEBLOWING POLICY & GUIDANCE

### CONTENTS

- 1 Policy Statement
- 2 Aims and Scope of the Policy
- 3 Safeguards
- 4 Raising a concern
- 5 How the School will respond
- 6 Following up concerns raised
- 7 Alternative methods of taking forward a complaint
- 8 The Responsible Officer
- 9 Review and monitoring
- 10 Related policies and documents

Amended to take account of legislation, the Enterprise and Regulatory Reform Act 2013.

## **1 POLICY STATEMENT**

This policy has been devised in accordance with the provisions of the Public Interest Disclosure Act 1998.

Devonport High School for Girls is committed to the highest possible standards of openness, probity and accountability in all of its activities. It also expects a high standard of conduct and integrity from employees.

Any employee who has a serious concern about any aspect of the school's work or the actions of its employees should voice their concerns through established internal channels, without fear of harassment or victimisation.

Devonport High School for Girls aims to encourage all its employees to feel confident in raising serious concerns and provide appropriate avenues for dealing with them. It aims to ensure that employees are protected from possible reprisals or disadvantage where they have raised a concern or disclosed information where this is in the public interest.

## **2 AIMS AND SCOPE OF THE POLICY**

This Policy aims to:

- encourage employees to feel confident in raising concerns and to question and act upon their concerns;
- provide avenues for employees to raise these concerns and receive feedback on any action taken;
- allow employees to take the matter further if they are dissatisfied with the School's response; and
- reassure them that they will be protected from reprisals or victimisation for whistleblowing where this is in accordance with this procedure.

This policy applies to all employees and those contractors working for the school. Employees include staff working for the school on a temporary basis, casual or seasonal workers and trainees. It also covers agency workers and suppliers and those providing services under a contract with the school in their own premises.

There are existing procedures in place to allow staff to lodge a grievance relating to their own employment within the school's Discipline, Conduct and Grievance Procedures

This policy is intended to cover reasonably serious concerns that fall outside the scope of other procedures. That concern should be one which is made in the public interest by a worker who has reasonable belief that it relates to one of the following:

- A criminal offence that has been, is being, or is likely to be committed;
- Fraud and Corruption;
- Unauthorised use of Public Funds;
- A failure to comply with a legal obligation ;
- A health and safety risk relating to any individual;
- A miscarriage of justice ;
- A damage to the environment;

- Actions that are contrary to the school's Standing Orders, Financial Regulations or any other approved policies;
- Actions or behaviour that falls below established standards of practice;
- Abuse and welfare of clients and/or staff;
- Harassment or victimisation of either staff or clients;
- Any actions or concerns regarding practice that could result in a financial loss to the school;
- The deliberate concealment of information relating to any of the above matters;
- Other unethical conduct.

(This list is not exhaustive)

### **3 SAFEGUARDS**

#### **Harassment or Victimisation**

The school recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for, or suspected of, the malpractice. The school will not tolerate harassment or victimisation and will take action to protect staff when they raise a concern which is in the public interest. This includes protection from suffering a detriment, bullying or harassment from another worker. This does not mean that if a member of staff is already the subject of disciplinary or redundancy procedures, those procedures will be halted as a result of their 'Whistleblowing'.

#### **Confidentiality**

The school will do its utmost to protect an individual's identity when they raise a concern and do not want their name to be disclosed. It must be realised and appreciated, however, that the investigation process itself may well reveal the source of the information, and, depending on the outcome, a formal statement by the individual may be required as part of the evidence.

#### **Anonymous Allegations**

This policy is designed to encourage staff to put their names to allegations. 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 into account would 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 employee makes an allegation which they have reasonable belief is one which is in the public interest, but it is not confirmed by the investigation, no action will be taken against them. If, however, individuals make malicious or vexatious allegations, disciplinary action may be considered and implemented.

#### **4 RAISING A CONCERN**

Employees are encouraged to report any concerns to one of the following persons. They are listed in order of preference. However, if the employee believes that any of these persons are implicated in the concern they are raising they should feel free to report to the next most preferred person:

1. Head Teacher
2. Chair of Governors

Employees who are unsure about reporting or do not feel at ease raising the concern through the above route are encouraged to seek advice from the school's Business Manager.

Employees may also invite their Trade Union or professional association to raise the concern on their behalf.

Concerns are better raised in writing. The background and history of the concern, giving names, dates and places where possible, should be set out and the reason why the individual is concerned about the situation. Those who do not feel able to put their concerns in writing may raise the matter verbally with the appropriate officer.

Although staff are not expected to prove the truth of their concern, they will need to demonstrate to the person contacted that there are sufficient grounds for concern.

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

Within ten working days of a concern being received, the school will contact the employee

- Acknowledging that the concern has been received;
- Indicating how it proposes to deal with the matter;
- Telling the employee whether any initial enquiries have been made;
- Telling the employee whether further investigations will take place, and if not, why not.

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

- Be investigated internally;
- Be referred to the Police;
- Be referred to the External Auditors;
- Form the subject of an independent inquiry by the Ombudsman.

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. Concerns or allegations which fall within the scope of other, existing, procedures (e.g. child protection or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved without the need for investigation. Where a formal investigation is required, it is likely to take the form of an investigation by a manager. In certain cases, the matters raised may be referred to the Police or the school's external auditors for investigation or an independent inquiry could be set up

The amount of contact between the managers considering the issues raised and the complainant will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided.

When any meeting is arranged, staff have the right, if they so wish, to be accompanied by a Union or professional association representative or a friend who is not involved in the area of work to which the concern relates.

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

The school accepts that staff need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, members of staff will receive information about the outcomes of any investigations.

If an employee is not assured that the matter has been properly addressed, they should consider an alternative method of taking forward a complaint as per paragraph 7.

## **6 FOLLOWING UP CONCERNS RAISED**

Whatever method of raising a concern has been chosen, effective and efficient communication and support systems are fundamental to the success of the policy and in giving employees confidence that issues which they raise will be thoroughly and conscientiously investigated.

Any concerns raised with the Head Teacher or the Chair of Governors must be notified to the school's External Auditors immediately, if the concern/allegation involves either potential fraudulent practice or activity that could result in a financial loss to the school.

Similarly, if a concern raises issues relating to employee or client welfare, the school's Human Resources Adviser should be notified or on issues of legality, the school's solicitors should be notified at the earliest possible opportunity.

## **7 ALTERNATIVE METHODS OF TAKING FORWARD A COMPLAINT**

This policy is intended to provide staff with an avenue to raise concerns within the school. Workers are encouraged to raise their concerns under this procedure in the first instance. However, if an individual feels it is right to take the matter outside this process, the following are possible contact points:

- The External Auditor;
- Relevant professional bodies or regulatory organisations;
- Individual's solicitors;
- A relevant charity or voluntary organisation; such as Public Concern at Work, who can be contacted on 0207 404 8009 or [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk);
- The Police.

If an employee does take the matter outside the school, they need to ensure that they do not disclose confidential information or that disclosure would be privileged. This should be checked with one of the designated contact points, External Auditors or if preferred, an outside organisation such as the Ombudsman.

## **8 THE RESPONSIBLE OFFICER**

Bishop Fleming is the school's provider of a Responsible Officer.

Bishop Fleming will maintain a record of concerns raised with them and the outcomes (in an anonymous format) and will report as necessary to the appropriate committee.

## **9 REVIEW AND MONITORING**

This policy is to be reviewed and monitored every 2 years. The next review date is Summer 2020.

## **10 RELATED POLICIES AND DOCUMENTS**

- ACAS Guidance on Bullying & Harassment at Work
- School's Complaints Procedure
- Equality & Diversity Policy
- Employee Handbook
- Public Interest Disclosure Act 1998
- Fair Funding
- Teachers Standards June 2013
- Enterprise and Regulatory Reform Act 2013
- Staff Discipline, Conduct and Grievance (Procedures for Addressing)

## **FURTHER GUIDANCE**

### **CONTENTS**

- 1 Taking details from a Whistleblower

#### **Appendix A: Aide-Memoire for Taking Details from a Whistleblower**

### **1 TAKING DETAILS FROM A WHISTLEBLOWER**

When taking details from a whistleblower, it helps to obtain as much information as possible from the outset.

Record the date and time of the telephone call or conversation, along with the whistleblower's name and their position within the organisation.

Be responsive to the whistleblower and encourage them to voice all of their concerns, however trivial you may initially think they are.

Obtain as much detail as possible about who is involved.

Get as much information as you can about what is going on. Establish how the whistleblower became aware of the situation.

Find out about where the activity took place.

Find out if this is a one-off occurrence or if it is ongoing.

Try and encourage them to speak to you again, you may need more information. Agree a day and time they can telephone you if they do not wish to give a contact number.

**Remember      *Who*      *What*      *When*      *Where***

## **APPENDIX A: Aide-Memoire for Taking Details from a Whistleblower**

**Record date and time of telephone call/conversation and gain as much information about the whistleblower as you can:**

- Name
- Contact telephone number
- Department
- Job title
- Place of work

**Establish the reason for their concern:**

- Obtain as much information as possible about what is going on
- How did they become aware of this matter?
- Have they had first hand knowledge or is the information via someone else (hearsay)?
- Have they kept any records of incidents, times, dates, places etc?

**Find out who is involved:**

- Get as much information about the person(s) involved
- School employees / employees of school contractors / members of the public?
- Name(s) or even nickname(s)?
- Job titles?
- Description (including clothing / uniform)?
- Description / registration details of any vehicle(s) involved?

**Ask when did the irregularity occur / concern arise:**

- Does the whistleblower think this matter is a one-off or is it ongoing?
- Is there any particular time of day / month / year this occurs?

**Ask where the irregularity took place, get as much information as possible about any locations involved such as:**

- Location / address?
- Is it a work / other location?
- Are records or stores kept?
- What are the home addresses of persons involved?
- Have vehicles been seen?
- Are vehicles garaged or kept?

**Ask how can you verify the information provided:**

- Are there any records or documents that will corroborate what you have told me?
- Does anyone else know what is going on?
- Have you reported it previously to anyone else, if yes, what happened?

**Finally, encourage them to telephone back (if they are anonymous) or you telephone them – you may need more information.**