



Working together to promote & celebrate achievement

## **Whistleblowing Policy**

**Revised and applicable from 20<sup>th</sup> February 2018**

**Signed:**

A handwritten signature in black ink, which appears to read "Irene Papadopolou". The signature is written in a cursive style with a long horizontal line extending from the end.

**Chair of Governors**

## Introduction

Plashet School seeks to run all aspects of school business and activity with full regard for high standards of conduct and integrity and expects all staff to maintain high standards in accordance with the School's Code of Conduct. 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 or to address them when they do occur.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- To provide staff with guidance as to how to raise those concerns;
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.

In the event that members of school staff, parents, governors or the school community at large become aware of activities which give cause for concern, Plashet as a community school within the London Borough of Newham has established the following whistle-blowing policy which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

Throughout this policy, the term *whistle-blower* denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan, as recommended in the *Second Report of the Committee on Standards in Public Life: Local Spending Bodies* published in May 1996.

Plashet School is committed to tackling fraud and other forms of malpractice and treats these issues seriously. Plashet School recognises that some concerns may be extremely sensitive and has therefore developed a system which allows for the confidential raising of concerns within the school environment, but also has recourse to an external party outside the management structure of the school.

Plashet School is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

The provisions of this policy apply to matters of suspected fraud and impropriety and not matters of more general grievance which would be dealt with under the Plashet School grievance procedures.

## What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity;
- child protection and/or safeguarding concerns;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal or professional obligation or regulatory requirements;
- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures including our Code of Conduct;
- conduct likely to damage the School's reputation;
- unauthorised disclosure of confidential information;
- the deliberate concealment of any of the above matters.
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A whistle blower is a person who raises a genuine concern that he/she believes is in the public interest relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the School's activities (a whistleblowing concern) you should report it under this policy.

This policy should not be used for complaints relating to Staff's own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Policy and Procedure as appropriate. If Staff are uncertain whether something is within the scope of this policy, you should seek advice from the Head Teacher.

### 1. **Aims**

- 1.1 The Fair Funding Regulations have required Local Authorities from April 2002 to set out a procedure to be followed by all persons working at a school, including teachers, support workers, agency workers or school governors who wish to complain about financial management or financial probity at the school, and how such complaints should be dealt with.
- 1.2 This school is committed to the highest possible standards of openness, probity and accountability and aims to comply with the requirements of the Public Interest Disclosure Act, 1998.
- 1.3 This Whistleblowing Policy is intended to encourage and enable those covered by the policy to raise serious concerns at an early stage, in the right way and to do so without fear of recrimination, victimisation, discrimination or disadvantage.

### 2. **Scope**

- 2.1 The Act provides protection for workers who disclose information which might otherwise be regarded as confidential, if the disclosure falls into one of the categories outlined below:

- a) A criminal offence has been, is being or is about to be committed.
- b) The employer has failed, is failing, or is about to fail to comply with his legal obligations.
- c) A miscarriage of justice has happened, is happening, or is likely to happen.
- d) An individual's health and safety has been, is likely to be, or is being jeopardised.
- e) The environment is, has been, or is likely to be, damaged
- f) Information falling into any of the above categories has been, is being or is likely to be deliberately concealed.

2.2 By adopting this policy, the school is reassuring the workforce that they can safely raise concerns about malpractice internally. This will enable the school to investigate and deal with such concerns raised and continue to foster a responsible and accountable culture in the organisation.

2.3 Staff and governors are expected to notify the school of any reasonable and genuine concerns they have about an abuse of the school's stated standards, malpractice, theft, fraud, financial abuse, criminal offences, breach of legal obligations, dereliction of the school's health and safety responsibilities, damage to the environment, other unethical conduct or the cover up of any of these.

2.4 It is recognised that some cases raised under the Whistleblowing Policy will proceed on a confidential basis. Every effort will be made not to reveal the identity of the individual who raises a concern without their prior consent.

2.5 The policy is not designed to replace the Grievance, Disciplinary or Safeguarding/Child Protection Procedures. Concerns or allegations that fall within the scope of specific procedures will normally be referred for consideration under those procedures.

2.6 The policy is only about employees and governors, and it is not a replacement for the school's complaints procedures and other statutory reporting procedures that may apply. The Whistleblowing Policy is primarily to protect the interests of others or of the organisation.

2.7 It is accepted that there may be occasions when a concern turns out to be unfounded but was raised in good faith. The school will not take action against the individual in these circumstances. If, an allegation was unfounded and it was clear that it had been raised frivolously, maliciously or for personal gain, then that individual may face disciplinary action.

2.8 The school and its governors are committed to treating claims of impropriety seriously irrespective of who the alleged perpetrators are. In all cases the school will seek the most appropriate sanction against individuals that it considers guilty of malpractice. This includes dismissing employees, taking civil legal action and, in conjunction with the law enforcement agencies, instituting criminal proceedings.

2.9 The aim of the Whistleblowing Policy is to enable employees to raise their concerns in-house and to be assured that action will be taken quickly and effectively. It should not be necessary, in most cases, to take concerns outside the school and especially to the media. Staff have a duty of confidentiality towards the school. It is a serious matter to disclose confidential information.

## 2.10 When might the whistle-blowing policy apply?

The type of activity or behaviour which Plashet considers should be dealt with under this policy includes:

- manipulation of accounting records and finances
- inappropriate use of school assets or funds
- decision-making for personal gain
- any criminal activity
- abuse of position
- fraud and deceit
- serious breaches of school procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)

## 3. How the school will handle concerns raised?

### Step One – How to raise a concern

- 3.1 There are a number of agreed contacts for employees to raise concerns with under the Whistleblowing Policy. This enables the employee to choose the person to whom they wish to make the disclosure.
- 3.2 Employees who have a concern about any wrongdoing should normally raise their concerns with their **line manager**. If, however you feel unable to raise the matter with your line manager, for good reason, you may raise the concern with your **Head Teacher** or another member of the Leadership Team. If you feel unable to raise your concern with any member of the school management you may raise it either the **Chair of Governors** (Mrs Irene Papadopoulos) with a senior officer at the London Borough of Newham i.e. **Director of Children's Services** – James Thomas.
- 3.3 Concerns may be raised orally or in writing. Make it clear if you want to raise the matter in confidence. The person with whom you raised the concern may have a preliminary meeting with you to discuss the most appropriate route. You may bring a friend/union representative to any meeting that is arranged in connection with the concern you have raised as long as the friend/union representative is not involved in the matter and that the friend agrees to maintain confidentiality.
- 3.4 If you are raising concerns as a school governor, you should speak to the chair of governors. If you feel unable to raise the matter with them for good reason, you should contact the local authority with your complaint.

- 3.5 You are not expected to prove beyond doubt the truth of an allegation. However, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.
- 3.6 The school hopes that this policy gives you the reassurance you would need to raise concerns internally. However, it recognises that there may be circumstances where progressing through the internal route has failed and you can only properly report your concern to external bodies who have responsibilities to monitor the school's compliance to its own standards and legal obligations. In most cases the most appropriate body would be the school's external auditors, Price Waterhouse Coopers on 0207 804 2184.
- 3.7 The whistle-blower may prefer to raise the matter in person, by telephone or in written form marked 'private and confidential' and addressed to one of the above named individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

## **Step Two – What happens once a concern has been raised?**

- 3.7 This appointed person, while maintaining the confidentiality of the complainant, will ensure that any individual who is the subject of the allegation is given details of the allegations in order to respond.
- 3.8 Once you have raised your concern, the person receiving the whistleblowing allegation will be responsible for ensuring that it is investigated properly. The nature of the investigation will depend upon the concern raised.
- 3.9 The person receiving your whistleblowing concern is responsible for ensuring you receive feedback on progress, subject to any issues of confidentiality that may be necessary to guarantee a successful conclusion. It may not be possible to inform you of the precise action undertaken where this would infringe a duty of confidence owed by the school to another party.

## **4. Safeguards**

- 4.1 The school recognises that the decision to report a concern can be a difficult one to make. The school will take appropriate action to safeguard you from recrimination or victimisation as a result of raising a genuine concern.
- 4.2 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. However, in some circumstances you may be needed to come forward as witness.
- 4.3 You are encouraged to put your name to your concern wherever possible. Concerns expressed where the complainant wishes to remain anonymous are much less powerful but the school will consider anonymous concerns on a case by case basis.

## **5. Independent Advice and Helpline**

- 5.1 If you are unsure whether to use the school's Whistleblowing Policy, or you want independent advice at any stage, you may contact the independent charity called Public Concern at Work. This organisation seeks to ensure that concerns about serious malpractice are properly raised and addressed in the workplace. The staff will give you free expert and confidential advice about how to raise a concern about serious malpractice at work using a Whistleblowing Policy. The contact number is:

**Public Concern at Work on 0207 404 6609**

- 5.2 Plashet School would prefer that a serious concern is raised responsibly rather than not at all. Despite the assurances, the whistle-blower may feel that it is more appropriate to raise the concern with an external organisation, such as a regulator. It is, of course, open for them to do so provided they have sufficient evidence to support the concern. Plashet School strongly advises that before reporting the concern externally, the whistle-blower seeks advice from Public Concern at Work, as outlined above or The Audit Commission, "prescribed persons" under the Public Interest Disclosure Act, have set up an Anti-fraud and Corruption Unit which can be contacted on: 0207 630 1019.
- 5.3 The Trade Unions encourage their members to contact them for advice before they take action in accordance with the policy.
- 5.4 The act of seeking confidential advice under 5.1, 5.2 and 5.3 is solely a matter between the parties concerned and could not have itself be grounds for disciplinary action.

## **6. Responsible Bodies and Monitoring Arrangements**

- 6.1 The Governing Body has overall responsibility for the policy.
- 6.2 The Head Teacher is responsible for the operation of the policy within the school and the overall maintenance of a record of concerns raised in accordance with this policy and the outcomes.
- 6.3 The LA is responsible for the operation of the policy and records outside the school.
- 6.4 All staff will be advised of this policy and where to access it.
- 6.5 This policy was devised in consultation with the Trade Unions and will be reviewed similarly.

## **7 Respecting confidentiality**

- 7.1 Wherever possible Plashet School seeks to respect the confidentiality and anonymity of the whistle-blower and will, as far as possible, protect him/her from reprisals. Plashet School will not tolerate any attempt to victimise the whistle-blower or attempts to prevent concerns being raised and will consider any

necessary disciplinary or corrective action appropriate to the circumstances. The Public Interest Disclosure Act became law in 1999 and gives a “worker” the right not to be victimised or dismissed because he or she has made a protected disclosure.

## **8 Raising unfounded malicious concerns**

- 8.1 Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

## **8 Conclusion**

- 8.1 Existing good practice within Plashet School, in terms of its systems of internal control both financial and non-financial, and the external regulatory environment in which the school operates, ensure that cases of suspected fraud or impropriety rarely occur. This whistle-blowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and, if necessary, outside the management structure of the school. This document is a public commitment that concerns are taken seriously and will be actioned.