

# BISHOP VESEY'S GRAMMAR SCHOOL

## Whistle Blowing Policy

<b>Date of last review</b>	June 2016 by Finance and Estates Committee
<b>Review prepared by:</b>	Graham Swindells Finance Director & School Business Manager
<b>Review date/by whom</b>	July 2019 – Full Board of Governors
<b>School adoption date (for reviewed policy):</b>	8 July 2019
<b>School's next review date/by whom:</b>	Summer 2022
<b>Signed by Chair of Governors</b>	

## WHISTLEBLOWING POLICY

### 1. Introduction

- 1.1 Bishop Vesey's Grammar School is committed to the highest possible standards of openness, probity and accountability and we encourage employees and others working with us to raise any concerns about any aspect of our work to come forward and voice those concerns.
- 1.2 The term whistleblowing has a specific legal definition, i.e. a disclosure or allegation of serious wrongdoing made by an employee, and a wider public definition, i.e. any disclosure or allegation of serious wrongdoing made by anyone
- 1.3 In some instances, concerns may need to be expressed on a confidential basis. This procedure encourages employees to raise serious concerns, without fear of reprisal or victimisation, internally within the school rather than over-looking a problem or raising the matter outside.
- 1.4 It applies to all employees, agency workers and those contractors working on the school premises. It also covers suppliers and those providing services under a contract with the school in their own premises.
- 1.5 This procedure is separate from the school's Complaints Procedures and other policies and procedures approved by the School, e.g. Capability. There are existing procedures in place to enable individuals to lodge a grievance relating to their own employment including issues relating to harassment and bullying.
- 1.6 Bishop Vesey's Grammar School has a strong commitment to Anti Fraud and Corruption and all suspected financial irregularities will be dealt with in that context.
- 1.7 Any investigation into allegations of potential malpractice under this procedure will not influence or be influenced by any disciplinary or redundancy procedures that already affects an individual.

### 2. Aim & Scope

- 2.1 This procedure aims to ensure individuals are:
  - encouraged to feel confident in raising serious concerns and to question and act upon concerns about practice
  - provided with avenues to raise concerns and receive feedback on any action taken
  - given a response to their concerns and are aware of how to pursue them if not satisfied.
  - reassured that they will be protected from reprisals or victimisation if they have a reasonable belief any disclosure has been made in good faith.
- 2.2 This procedure is intended to cover concerns that fall outside the scope of other procedures. These include:
  - conduct which is, has been or is likely to be an offence or breach of law
  - conduct that has occurred, is occurring or is likely to occur the result of which the school fails to comply with a legal obligation. For example unauthorised use of public funds, possible fraud and corruption, sexual or physical abuse of any member of the school community, or other unethical conduct discrimination of any kind and waste/frivolous expenditure
  - disclosures related to past, current or likely miscarriages of justice
  - past, current or likely health and safety risks, including risks to the public as well as other employees (see below)
  - past, current or likely damage to the environment
  - failure to comply with professional standards, school policies or codes of practice/conduct
  - information regarding any of the above being deliberately concealed or attempts being made to conceal the same.

## WHISTLEBLOWING POLICY

2.3 Concerns about any aspect of service provision or the conduct of any member of staff or others acting on behalf of the school, can be reported under the Whistleblowing Procedure. This may be about something that you:

- feel uncomfortable about in terms of known standards, your experience or the standards you believe the school subscribes to: or
- is against the school's Standing Orders and policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

### 3. Confidentiality

All concerns raised will be treated in confidence and every effort will be made not to reveal your identity if this is your wish. However, in certain cases, it may not be possible to maintain confidentiality if you are required to come forward as a witness.

### 4. Anonymous Allegations

4.1 Whenever possible you should put your name to your allegation as concerns expressed anonymously are much less powerful than those that are attributed to a named individual. However anonymous allegations will be considered and investigated at the school's discretion.

4.2 In exercising the 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.

### 5. Untrue Allegations

If you make an allegation in good faith that is not subsequently confirmed by an investigation, no action will be taken. Disciplinary action will only be taken against individuals who knowingly make false, malicious or vexatious allegations.

### 6. How to Raise a Concern

6.1 General Concerns can be raised verbally or in writing. A concern raised in writing should:

- set out the background and history of the concern, giving names, dates and places where possible
- give the reason why you are particularly concerned about the situation.

6.2 The earlier a concern is raised the easier it is to take action. Although you are not expected to prove beyond doubt the truth of an allegation, you need to demonstrate to the person contacted that there are sufficient grounds for your concern.

6.3 A trade union or professional association may raise a matter on behalf of an employee.

### 7. Procedure

7.1 When a concern is raised verbally, a note of the meeting will be taken which all parties must sign as representing a true record of the meeting including details of the concern raised.

#### 7.2 Step One - Raising a Concern

Whenever possible you should raise your concern with the Headteacher and the Chair of Governors who can be contacted through the Clerk to Governors. In the absence of the Headteacher an appropriate member of the Executive Leadership Team should be informed.

## WHISTLEBLOWING POLICY

### 7.3 Step Two - How we will respond

The action we take will depend on the nature of the concern. The matters raised may:

- be investigated internally by the Head teacher and/or the Chair of Governors
- be referred to the police
- be referred to the External Auditor.

7.3.1 In order to protect individuals, 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 specific procedures (e.g., child protection, race equality, disability equality or criminal activity) will normally be referred for consideration under those procedures.

7.3.2 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required it will be taken before any investigation is conducted.

7.3.3 Within 10 working days, the responsible person will write to you:

- 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
- informing you if any initial enquiries have been made
- whether further investigations will take place and, if not, why not.

### 7.4 Contact

The amount of contact between the people 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, further information will be sought.

### 7.5 Attending meetings

When any meeting is arranged you have the right to be accompanied by a trade union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

### 7.6 Support

7.6.1 We will take steps to minimise any difficulties you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, we will advise or arrange for you to have advice about the procedure.

7.6.2 We will not tolerate harassment or victimisation (including informal pressures) and will take action to protect individuals who raise a concern in good faith.

7.6.3 We accept that you need to be assured that concerns will be properly addressed and, subject to legal constraints, will provide information about the outcomes of any investigations.

### 7.7 How the matter can be taken further

7.7.1 This procedure is intended to provide individuals with an avenue to raise concerns within the School. If you are not satisfied, and feel it is right to take the matter further, the following are possible contact points:

- Public Concern at Work 0207 404 6609
- Audit Commission 0303 444 8330
- relevant professional bodies or regulatory organisations
- a solicitor
- the police.

## **WHISTLEBLOWING POLICY**

7.7.2 If a matter is taken outside the school, you must take all reasonable steps to ensure that confidential or privileged information is not disclosed. If in doubt, check with the contacts listed above.

### **8. Public interest disclosure**

Under the Public Interest Disclosure Act 1998 an employee is entitled not to be subjected to any detriment by virtue of having made a protected disclosure.