



# **Sycamore Hall Preparatory School "Whistleblowing" Policy and Procedures**

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# **SYCAMORE HALL PREPARATORY SCHOOL** **"WHISTLEBLOWING" POLICY AND PROCEDURES**

The Headteacher/proprietor and staff at Sycamore Hall Preparatory School have approved the adoption of Doncaster Local Authority's model policy and procedures for Whistle blowing.

## **1. Introduction**

- 1.1 Employees are often the first to realise that there may be something seriously wrong with their school and/or Local Authority (LA). However, they may not express their growing concerns because they feel that speaking up would be disloyal to their colleagues or to the LA. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may be just suspicion of malpractice.
  
- 1.2 Sycamore Hall Preparatory School is committed to the highest possible standards of openness, probity and accountability. In line with this commitment, we encourage employees and others with genuine concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis. This policy document makes it clear that staff can do so without fear of reprisals. The whistle blowing policy is intended to encourage and enable employees to raise such concerns **within** their school rather than overlooking the problem or blowing the whistle outside.

## **2. Aims and Scope of the Policy**

- 2.1 This policy aims to:
  - Provide avenues for you to raise genuine concerns and receive feedback on any action taken;
  - Allow you to take the matter further if you are dissatisfied with the School's response;
  - Reassure you that steps will be taken to protect you from reprisals or victimisation for whistle blowing in good faith.
  
- 2.2 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. This whistle blowing policy is intended to cover genuine concerns that fall outside the scope of other procedures. That concern may be about something that:
  - Is unlawful, e.g. theft, fraud, corruption, false claims etc.
  - Is contrary to school policies e.g. Equal Opportunities Policy;
  - Falls below established standards of practice;
  - Amounts to improper conduct;
  - Is a Health and Safety risk, including risks to the public as well as pupils or other colleagues;
  - Is damaging the environment.
  
- 2.3 Employees of subcontractors to the School and supply teachers working in school on a temporary basis may also have access to this procedure.

### **3. Safeguards**

#### **3.1 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. The School will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. However, should you feel that you have suffered harassment, either directly or indirectly as a result of raising a concern, you should refer to the School's Anti-Bullying Policy.

This does not mean that if you are already the subject of disciplinary, capability or redundancy procedures, that those procedures will be halted as a result of your whistle blowing.

#### **3.2 Confidentiality**

The School will do its best to protect your identity when you raise a concern. However, it must be appreciated that, in the interests of natural justice, any investigation process may reveal the source of the information and a statement by you may be required as part of the evidence.

#### **3.3 Anonymous Allegations**

You are strongly encouraged to put your name to any allegation. Concerns expressed anonymously are much less powerful. Anonymous allegations will be considered and any action taken at the discretion of the School.

In exercising this discretion, the following factors will be taken into account when considering how to deal with any allegations:

- The seriousness of the issues raised;
- The credibility of the allegation; and
- The likelihood of confirming the allegation from attributable sources.

#### **3.4 Malicious or Vexatious Allegations**

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make a malicious or vexatious allegation, disciplinary action may be taken against you in accordance with the School's Disciplinary Procedure.

### **4. How to raise a concern**

4.1 As a first step, you should normally raise concerns with the Headteacher. If the concern is regarding the Headteacher, then the first point of contact is Mr. G. Grassi (see safeguarding policy)

4.2 Advice and guidance on how matters of concern may be pursued can be obtained from:

- Head teacher;

- 4.3 Concerns are better raised in writing. You are advised to set out the background and history of your concerns giving names, dates and places, where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or arrange to meet an appropriate officer who will agree a written statement with you.
- 4.4 The earlier you express your concern, the easier it may be to take action.
- 4.5 Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.
- 4.6 In all circumstances it should be made clear that you are raising these concerns under the "Whistle blowing" Policy.

You may invite your recognised trade union representative to raise a matter on your behalf.

## **5. How the School will Respond**

- 5.1 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 an external Auditor;
  - form the subject of an independent enquiry.
- 5.2 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 that fall within the scope of specific procedures (e.g. child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 5.3 Some concerns may be resolved by agreed action without the need for an investigation.
- 5.4 Within ten working days of a concern being received, the School will write to you:
  - acknowledging that the concern has been received;
  - indicating how it proposes to deal with the matters;
  - giving an estimate of how long it will take to deal with the matter;
  - telling you whether any initial enquiries have been made; and
  - telling you whether further investigations will take place, and if not, why not.
- 5.5 The amount of contact between you and the officers considering the issues 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 you.

- 5.6 When any meeting is arranged to discuss your concerns you have the right, if you so wish, to be accompanied by a trade union representative or a work colleague who is not involved in the area of work to which the concern relates and whom also could not be called as witness.
- 5.7 The School 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 School will advise you about the procedure.
- 5.8 The School accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcome of any investigations.
- 5.9 Any person who is subject of an allegation should, at the appropriate times, be given details of the allegation in order to respond. They will have the right to trade union representation.
- 5.10 The person to whom you report your whistle blowing concern will contact you 6 months after the conclusion of the investigation to establish, in a confidential and non threatening environment, whether or not you consider that there has been any impact on you following your disclosure.

## **6. How the matter can be taken further**

- 6.1 This policy is intended to provide you with an avenue to raise concerns within the School and will be appropriate for the majority of cases. The School hopes you will be satisfied. However, in exceptional circumstances, you may feel the only course of action open to you is to take the matter outside the School. In such circumstances appropriate contact points in the LA include:
- Your local Council member (if you live in the area of the Council)
  - Director of Financial Services
  - Head of Audit Services
  - Head of Human Resources
  - Relevant professional bodies or regulatory organisations
- 6.2 If you do take the matter outside the School you need to ensure that you do not disclose confidential or privileged information. Where confidential or privileged information is inappropriately disclosed you may be subject to disciplinary action. Employees considering such action should make themselves aware of Part IVA of the Employment Rights Act 1996 as inserted by the Public Interest Disclosure Act 1998.

## **7. The Responsible Officer**

- 7.1 The Head teacher has overall responsibility for the maintenance and operation of this policy. The Head teacher will maintain a record of concerns raised and action taken in a form which does not endanger your confidentiality and will report, as necessary, to the School.

## **8. Monitoring and Review**

- 8.1 The key details of each whistle blowing concern will be monitored and reported to the School on an annual basis. This information will be used to monitor the effects and application of the procedure, including meeting the legislative requirement to analyse impact in terms of equal opportunities, by disability, gender and other protected characteristics in accordance with the Corporate Equality Plan and Race Equality Scheme.

## **APPENDIX 1**

This list illustrates the kind of issues the School would consider as malpractice or wrongdoing that could be raised under this whistle blowing policy. Reference should also be made to the Disciplinary Rules for Schools. However, neither list is exhaustive.

- Poor or unprofessional practice by a member of staff or an agency which results in the service user not getting the same quality of service which is available to others;
- Improper/unacceptable behaviour towards a service user which could take the form of emotional, sexual or verbal abuse, rough handling, oppressive or discriminatory behaviour or exploitative acts for material or sexual gain;
- Any unlawful activities, whether criminal or in breach of civil law;
- Fraud, theft or corruption;
- Concerns regarding possible breaches of Health and Safety Regulations;
- Harassment, discrimination, victimisation or bullying of employees and/or service users;
- Leaking confidential information in respect of Council activities and/or records;
- Taking gifts or inducements;
- Maladministration as defined by the Local Government Ombudsman;
- Breach of any Statutory Code of Practice