

VALENTINES HIGH SCHOOL

WHISTLEBLOWING POLICY

FEBRUARY 2016

Last reviewed February 2016 for approval at the main Governing Body Meeting March 2016. To be reviewed next by February 2018

The staff and governors of Valentines High School seek to run all aspects of school business and activity with full regard for high standards of conduct and integrity. 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, the following Whistleblowing 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.

Valentines High School is committed to tackling fraud and other forms of malpractice and treats these issues seriously. Valentines High School recognises that some concerns may be extremely sensitive and has therefore developed a system that 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.

Valentines High 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 that would be dealt with under the Valentines High School's grievance procedures.

What is Whistleblowing?

All of us at one time or another have concerns about what is happening in our department or workplace. Usually these concerns are easily resolved. However, when they are about serious malpractice like financial irregularities, dangerous working conditions, discrimination or fraud, it can be difficult to know what to do.

You may be worried about raising such issues or may want to keep concerns to yourself, perhaps feeling that it is none of your business or that it's only a suspicion. You may feel that raising your concern would be disloyal to colleagues, line managers or the organisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way.

Valentines High School therefore has a procedure to enable you to raise your concerns about serious malpractice at an early stage. We want you to say something when it is a concern rather than wait for proof.

It is impossible to give an exhaustive list of activities that constitute misconduct or malpractice but, broadly speaking, we would expect you to report the following:

- Criminal offences
- Failure to comply with legal obligations
- Miscarriages of justice
- 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)

- Actions which endanger the health or safety of staff, pupils or the public
- Actions which cause damage to the environment
- Actions which are intended to conceal any of the above

If in doubt – raise it!

The Whistleblowing procedure is a central part of the School's programme to improve the delivery of its services, and it provides us with an opportunity to address any potentially serious problems before it's too late. We will do everything possible to protect your confidentiality if required.

This procedure should not be confused with the Grievance Procedure which should be used when an employee is aggrieved about their own employment situation.

How Do I Raise My Concerns?

Where you have a concern you should raise it with your Headteacher. This may be done verbally or in writing. If you feel unable to follow that route, (because there is good reason why you cannot inform the Head), your concern may, in this case be discussed in confidence with, or addressed to:

Chairman of Governors
c/o Clerk to the Governing Body
Valentines High School
Cranbrook Road, Ilford
Essex IG2 6HX

Chief Auditor, London Borough of Redbridge
Lynton House, 255-259 High Road
Ilford, Essex IG1 1NN

Director of Children's Services
London Borough of Redbridge
Lynton House, 255-259 High Road
Ilford, Essex IG1 1NN

What Happens Next?

Having alerted the School to your concern, it is our responsibility to investigate the issue. The initial stage will be to discuss the issue with you and then assess what further action may be taken. If you want feedback on the action taken you will be contacted in due course.

If the concern can be resolved quickly it will be brought to the attention of the appropriate Manager. This procedure may lead to other processes being implemented such as disciplinary procedures or to more formal management or audit investigation.

Where the issue cannot be resolved quickly, i.e. it requires more detailed consideration either because of the complexity of the concern or the possibility of other proceedings, an investigation will be carried out under the direction of the Headteacher, or Chief Auditor if the issue is financial.

What Assurances Can Be Given To You?

All concerns, regardless of their nature, raised under this procedure will be treated seriously and sensitively. Where practicable, immediate steps will be taken to remedy the situation. However, the final outcome may take longer depending upon the issue that is raised.

Every effort will be made to keep your identity confidential if you wish this to be the case, but you must identify yourself in any communication. If this is not possible, for example if

you are required to give evidence/a formal statement, e.g. a court case or disciplinary hearing, you will be told in advance and this will be discussed with you.

The earlier and more open the expression of a concern, the easier it will be for the Headteacher to take action.

The Headteacher will not tolerate harassment or victimisation of anyone raising a concern under the procedure in good faith, regardless of whether or not it proves well-founded. If anyone tries to discourage you from coming forward to express a concern, this may be treated as a disciplinary offence. In the same way, we will deal severely with anyone who criticises or victimises you after a concern has been expressed.

The Headteacher will monitor the effectiveness of the procedure and carry out an annual review.

What is the Public Interest Disclosure Act (PIDA)?

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. To quote from the Act itself, it is: "An Act to protect individuals who make disclosures in the public interest; to allow such individuals to bring action in respect of victimisation; and for connected purposes."

The Public interest Disclosure Act can protect those who raise concerns in good faith and in confidence; but cannot provide protection for those who raise concerns anonymously.

- it gives workers the right not to be victimised or dismissed for whistleblowing
- if a whistleblower is victimised, they can bring a claim to an employment tribunal for compensation. Awards are based on losses suffered and are unlimited
- the Act relates to all "workers", including contractors, agency staff etc

It protects you from reprisals as long as you:

- disclose the information in good faith
- believe it to be substantially true
- do not act maliciously or make false allegations
- do not seek any personal gain

What Can I Do To Help?

The purpose of this procedure is to enable you to raise your concerns with the Headteacher in confidence without any fear of reprisal. The School can learn a lot from what you tell us. Your information is important to us and the School is looking to ensure that the highest standards of conduct and services are maintained. It is requested that you do not take your concerns outside the School other than as stated at the end of this policy. All outside enquiries about any investigation relating to your concern must be referred to the Headteacher. When raising your concern you must declare any personal interest you have in the matter.

What Happens If an Unfounded Malicious Concern is raised?

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

What Happens After The Concern Has Been Investigated?

You will be informed, where requested and subject to legal constraints, of the outcome of the action taken to resolve your concern.

Where action is not taken you will be given an explanation.

There will be an expectation on the Headteacher to minimise the risk of re-occurrence wherever possible.

What if I am Unhappy With The Way In Which The Issue Has Been Dealt With?

If you are not satisfied with the outcome of an investigation, you should raise it again, explaining why this is the case. Your concern will be looked at again if there is good reason to do so.

The Headteacher would prefer that serious concerns are raised responsibly rather than not at all. Despite these assurances, you may feel that it is more appropriate to raise your concern with an external organisation, such as the LA regulator. It is, of course, open for you to do so provided you have sufficient evidence to support your concern.

We strongly advise that before reporting your concern externally, you seek advice from one of the following:

- i. Your trade union
- ii. The Audit Commission is included on the list of “prescribed bodies” under the Public Interest Disclosure Act (PIDA). Their contact number is 0845 0522 646.

While the School cannot guarantee that it will respond to your concern in the way you might wish, we will try to handle the matter fairly and properly.

By using this procedure, you will help us to achieve this.