



Whistleblowing Policy

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| Last Reviewed | September 2017 |
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| Ratified by the Trustee Board | September 2020 |

HORSFORTH SCHOOL

Whistleblowing Policy

1 **Aim**

To provide clear guidelines on the position of the school in relation to whistleblowing:

This whistleblowing policy is intended to cover concerns that fall outside the scope of other procedures, although the School reserves the right to determine which procedure is appropriate.

Concerns to be reported under this policy may relate to something that:

- is unlawful;
- is against the School's Contract Procedure Rules, Financial Procedure Rules or other policies;
- falls below established standards or practice; or
- amounts to improper conduct.

2 **Objectives**

- Provide avenues for colleagues to raise concerns and receive feedback on any action taken
- Allow a colleague to take the matter further if they are dissatisfied with the School's response
- Reassure the colleague that they will be protected from reprisals or victimisation for whistleblowing if this was done in good faith.

3 **Context**

The Trustee Board of Horsforth School is committed to the highest standards of openness, probity and accountability. In line with that commitment, they encourage employees and Members, who have serious concerns about any aspect of the School, to come forward and voice those concerns.

4 **Legal Position**

The policy provides a means for colleagues to raise a concern under the Public Interest Disclosure Act 1998, which provides them with a certain level of legal protection if they wish to raise legitimate concerns.

5 **Procedures**

Procedures to support this policy are appended.

6 **Evaluation**

This policy will be evaluated every three years by the Trustee Board to ensure it is still fit for purpose.

7 **Author**

This policy has been updated by LVR in September 2020.

Appendix I: Procedure to Support Whistleblowing Policy

1. Introduction

As an employee or a Trustee you are often the first to realise that there may be something seriously wrong within the School. However, you may not express your concerns because you feel that speaking up would be disloyal to colleagues or the School. You may also fear harassment or victimisation and think it may be easier to ignore the concern rather than report it.

The School is committed to the highest standards of openness, probity and accountability. In line with that commitment, we encourage employees and Trustees, who have serious 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. This Whistleblowing Policy is intended to encourage and enable staff and Trustees to raise serious concerns with the School rather than overlooking a problem or discussing it externally.

In addition, the policy provides a means for you to raise a concern under the Public Interest Disclosure Act 1998, which provides you with a certain level of legal protection if you wish to raise legitimate concerns.

The Headteacher has overall responsibility for:

- Maintaining and operating the policy
- Regular review of the policy
- Reporting on the effectiveness of the policy
- Approving amendments to the policy
- Promoting the policy periodically
- Maintaining a record of concerns raised and the outcomes (but in a form that does not endanger your confidentiality) and will report as necessary to the School.

2. Safeguards

2.1 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 from those responsible for the malpractice. The School will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. This does not mean that if you are already the subject of procedures such as disciplinary, improving performance, grievance or managing attendance, that those procedures will be halted as a result of your whistleblowing. Where feasible, you will be contacted when your concern has been investigated to ascertain whether you have suffered any detriment as a result of your whistleblowing. If at any time, either during or after the investigation, you feel that you have suffered any detriment as a result of your whistleblowing you should contact the Chair of Trustees.

2.2 Confidentiality

The School treats the details of all whistleblowers in confidence and will do its best not to divulge your identity. However, it must be appreciated that the investigation process may reveal the source of the information without us revealing your identity directly and a statement by you may be required as part of the evidence.

2.3 Anonymous Allegations

Allegations can be made anonymously. However, this policy encourages you to put your name to your allegation, as concerns expressed anonymously are often much more difficult to investigate. For example, we may need to contact you to obtain further information or verify the details you have already given us. Anonymous allegations will be considered wherever possible at the discretion of the School.

The factors to be taken into account when determining whether an investigation in such a case can proceed would include:

- The seriousness of the issues raised
- The creditability of the concern and
- The likelihood of confirming the allegation from other, attributable sources

2.4 Untrue 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 malicious or vexatious allegations, appropriate action may be taken against you.

2.5 How to Raise a Concern

The earlier you express the concern, the easier it is to take action. As a first step, you should normally raise concerns with your immediate line manager or other appropriate manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that senior management is involved, you should contact the Headteacher or the Chair of Trustees in writing. You may invite your trade union or professional association to raise a matter on your behalf.

2.6 How the School Will Respond

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

- Be investigated internally, (this is the most likely option)
 - Be referred to the Police
 - Be referred to the external auditor
 - Be referred to the DFE
 - Form the subject of an independent inquiry
- Or any combination of the above

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 (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation. Within

ten working days of a concern being received, where appropriate, the School will write to you:

- Acknowledging that the concern has been received
- Indicating how it proposes 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.

The amount of contact between the employees 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 from you.

When any meeting is arranged, you have the right, if you 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 that 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. The School acknowledges the need to provide you with assurance that the matter has been properly addressed. Thus, subject to legal constraints, you will receive appropriate information about the extent and outcomes of any investigations.

2.7 How the Matter can be Taken Further

This policy is intended to provide you with an avenue to raise concerns within the School. The School hopes you will be satisfied. If you are not and if you feel it is right to take the matter further, the following are possible contact points.

- Relevant professional bodies or regulatory Organisations
- DfE (Department of Education)
- Awarding Bodies
- Responsible Officer (Leeds City Council Financial Services to Schools) (0113) 2475153
- Your solicitor
- The Police
- Public Concern at Work (independent charity that provides free advice for employees who wish to express concerns about fraud or other serious malpractice) (0207) 4046609

If you do take the matter outside the School, you will need to ensure that you do not disclose confidential information or that disclosure would be privileged.

Whistleblowing Flowchart: to be used with Horsforth School Whistleblowing Policy

