Whistle Blowing Policy

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Review period: **Annual**
Review date: **September 2027**

Portesbery School
A happy school where every one matters

Introduction

Portesbery School is committed to the highest possible standards of honesty, openness, probity and accountability. It seeks to conduct its affairs in a responsible manner, to ensure that all its activities are open and effectively managed, and that the integrity and principles of public interest disclosure are sustained.

In line with that commitment we encourage staff, those working on behalf of the School and others that we deal with, who have serious concerns about any aspect of the School's work to come forward and voice those concerns as follows:

a) with their immediate manager and/or more senior managers. Where any member of staff decides to report a serious incident, whether anonymous or not, this will be treated as a 'protected, internal disclosure' ie there will be no adverse repercussions for the member of staff.

b) staff are encouraged to use an external, independent and confidential service provided by Navex Global, who can be contacted on their freephone helpline number 0800 069 8180.

Purpose of the policy

Staff are often the first to realise that there may be something seriously wrong within the School. However, staff may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School. They may also fear harassment or victimisation. Each person working for Portesbery School needs to realise that they not only have the right, but also a duty to report any improper actions or omissions.

The School also recognises and appreciates that staff who raise concerns regarding malpractice or wrongdoing are an asset to the School, and not a threat. This policy makes it clear that they can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. The whistle blowing policy is intended to encourage and enable staff to raise serious concerns within the School.

This policy aims to:

- encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues to raise those concerns and receive feedback on any action taken

- ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- reassure staff that they will be protected from possible reprisals or victimisation if they have made any disclosure in good faith.

Who is covered by the policy?

The policy applies to all School staff whether full-time or part time, permanent or temporary; members of the school staff and those carrying out work for the School on School premises, for example, agency workers, contractors, consultants. It also covers providers of works, services and supplies, including the School's external contractors and those providing services under a contract with the School in their own premises. However, to facilitate the reading of this policy, the terms 'staff' or 'members of staff' have been used, with the intention to cover all individuals mentioned above.

This policy will be expected to apply to Schools, but this is a decision for the Head-teacher/ Chair of Governors. Arrangements for whistle blowing will be covered by individual School's procedures to reflect their respective governance arrangements.

Scope of the policy

There are existing procedures in place to enable staff to lodge a grievance relating to their own employment. The whistle blowing policy is intended to cover serious concerns that fall outside the scope of other procedures, in accordance with the Public Interest Disclosure Act 1998. These include:

- Conduct which is an offence or a breach of law
- Failure to comply with a legal obligation
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other staff/staff
- Damage to the environment
- Information relating to the above issues that has been or is likely to be deliberately concealed.

Examples of the above categories are likely to include:

- The unauthorised use or misuse of public funds
- Possible fraud and corruption
- Sexual, physical or psychological abuse of service users • Harassment & bullying of staff
- Breaches of codes of conduct.

Therefore, any serious concerns that a member of staff has about any aspect of service provision or the conduct of School staff or Members of the Schools Governing Body, others acting on behalf of the School, service users or residents, can be reported under the whistle blowing policy where the member of staff has a reasonable belief in those concerns and they relate to one of the specified areas set out above.

A wrongdoing disclosed under the policy should be in the public interest, this means it affects others. There are existing procedures in place to enable employees to lodge concerns relating to their own employment.

Links with other policies

This policy should be read in conjunction with the Grievance Procedures and Disciplinary and Capability Procedures policies.

As this policy is in addition to the School's complaints procedures, and other statutory reporting procedures applying to some services, managers are responsible for making service users aware of the existence of these procedures.

Safeguarding against harassment or victimisation

The School is committed to good practice and high standards and wants to be supportive of staff. It is recognised that the decision to report a concern can be a difficult one to make. If a member of staff has a reasonable belief that what they are saying is true, they have nothing to fear because they will be doing their duty to their employer and/or those for whom they are providing a service.

The School will take a zero tolerance approach to any act of harassment or victimisation (including informal pressures). The School will take appropriate action to protect staff when they raise a concern, by supporting the member of staff and consider action under the appropriate procedure (for example Disciplinary) against the person or persons responsible for the reported acts, provided the member of staff:

- Discloses the information in good faith
- Believes the concern to be true
- Does not act maliciously or make false allegations
- Does not seek any personal gain, and
- Provided the allegations relate to one of the categories covered by the scope of the policy and referred to above.

There are national guidelines to help you as a whistle blower. See the government guidance: https://www.gov.uk/whistleblowing.

There is also a whistleblowing charity Protect that has a helpline on 020 3117 2520. This helpline offers independent and confidential advice to those who are unsure whether, or how, to raise a public interest concern.

Unsubstantiated allegations

If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken.

Confidentiality

All concerns will be treated in confidence but at the appropriate time, the whistle blower may be asked to come forward as a witness, and this will be discussed with them.

Anonymous allegations

This policy encourages staff to put their name to their allegation whenever possible.

Where a concern is raised via the external confidential Navex Global Service, the whistle blower can choose to provide Navex Global with name and contact details which will not be passed to the School without express permission from the individual. This enables Navex Global to ask for further information on the concern, if required.

The School will take all concerns raised seriously. When carrying out an initial review of a concern, the School will consider the following factors:

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

How to raise concerns

There are three ways in which to raise a concern:

1. Staff may raise concerns with their immediate manager or another manager or, if it is believed that such managers are involved, the Head Teacher, The Chair of the Governing Body, or the School's Designated Safeguarding Lead (DSL) may be approached. Contact details may be found at the end of this policy.

   Concerns may be raised verbally or in writing. Staff who wish to make a written report are asked to provide the background and history of the concern (including relevant dates) and the reason why they are particularly concerned about the situation.

   The earlier the concern is expressed, the easier it is to take action. In order to assist with the investigation, staff should provide as much detail and supporting evidence as possible. Staff are not expected to prove that an allegation is true, only to have sufficient grounds for concern.

   The whistle blower may invite a recognised Trade Union representative or a work colleague to be resent during any meetings or interviews in connection with the concerns raised.

2. While concerns will usually be raised internally, the School recognises that staff may feel unable to do this, and that they may wish to contact an independent, external organisation, such as Navex Global, in order to report something. Navex Global is an external and independent organisation, which specialises in

providing a confidential hotline service for whistle blowing and can be contacted any time, night or day, in complete confidence with any relevant concerns. The call will not be traced or monitored. **Freephone 0800 069 8180.**

3. A third option for staff who wish to raise concerns is to contact the **Public Concern at Work helpline 020 7404 6609.** This helpline offers independent and confidential advice to workers who are unsure whether or how to raise a public interest concern.

How the School will respond

The School will investigate and respond to all concerns raised by staff or service users through any channels including Navex Global and the Contact Centre.

While it is not essential that the concerns be provided in writing, the person receiving the concern will, ensure that a written account of it is made. This will help with the subsequent investigation by facilitating clear record-keeping.

When a concern is raised directly with the School, they should undertake the following actions:

- Take the concern seriously
- Consider the concerns fully and objectively
- Recognise that raising a concern can be a difficult experience for staff
- Ensure confidentiality
- Refer to a manager of appropriate seniority, to agree the level at which the concern will be investigated and identify who will take responsibility for the co-ordinating the enquiry.

Staff members who are under investigation will not be involved in the investigation.

Initial enquiry

In order to protect the individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the School will have in mind, is that of the public interest. If urgent action is required, this will be taken before any investigation is conducted.

Purpose of the initial inquiry is to ascertain if the conduct or behaviour involves a Member of the School staff, a senior manager or other member of staff, so that further enquiries and investigation can be progressed accordingly.

Preliminary review

Preliminary review establishes need to carry out an investigation. Further to the results of the initial enquiry and preliminary review, and at the discretion of senior management/Governing Body, the following steps will then need to be considered:

- Concerns or allegations, which fall within the scope of specific procedures, eg child protection or discrimination issues, will normally be referred for consideration under those procedures
- Where there is any financial impropriety, the concern should be referred to the Governing Body, and/or Surrey Internal Audit department before taking any other action
- Ensure that matters of a criminal nature are reported to the Police, after consultation with the LADO and/or Surrey Legal department.
- Whether the disciplinary or other relevant management policies, procedures and processes of the School need to be applied
- Appointment of an officer to carry out the investigation under these procedures.

Investigation

Depending on the nature of concerns, investigation may be carried out under the School's Capability Policy, Disciplinary Policy or the Surrey Strategy against Fraud & Corruption.

Investigation Timescales

Within 14 days of a Navex Global report being received, the person who is dealing with the concern that has been raised will respond in writing:

- Acknowledging that the concern has been received
- Supplying information on staff support mechanisms, and
- Advising whether further investigations or action is required and, if not, why not.

A further update will also be provided 28 days after the report was received, advising of additional progress made and the estimated date a final response will be available.

If the whistle blower has chosen to remain anonymous and non-contactable, they need to contact Navex Global or their original route in order to receive updates.

Investigation process

The impartial investigating manager appointed to undertake the investigation will establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. Other people may need to be interviewed to provide further information and/or clarification concerning the issue(s) raised.

It is essential that written records of all interviews be kept throughout the investigation, together with written details of any action taken. The investigation will result in a written report and recommendations for corrective action which will be

passed to the manager responsible for deciding whether formal action shall be taken.

Where any meeting is arranged involving an individual member of staff, which can be off-site, a recognised Trade Union representative or a work colleague may also attend. The School will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, if a member of staff is required to give evidence in criminal or disciplinary proceedings, the School will arrange for them to receive appropriate procedural and/or legal advice.

A member of staff raising a concern will be, subject to legal constraints, advised in writing of the outcome of the investigation and, where appropriate, what action is being taken.

Monitoring arrangements

The Senior Leadership Team and Board of Governors have overall responsibility for the maintenance and operation of this policy. They maintain a record of concerns raised and the outcomes (but in a form which does not compromise confidentiality) and will report as necessary to Surrey County Council.

The Senior Leadership Team and Governors will ensure that whistle blowing procedures are defined, documented, widely circulated and reviewed at appropriate intervals, in consultation with a Monitoring Officer.

The practical aspects of monitoring are to assess whether:

- The policy is being used appropriately
- Concerns are being handled and investigated properly
- There are any discernible patterns of concern across the School

- The policy has been effective in identifying and deterring malpractice, and
- More needs to be done to raise awareness of the policy.

Additional Contact Details:

Designated Child Protection Officer
Clare Walker clare.walker@portesbery.surrey.sch.uk

Chair of Governors
Chris Hamilton chairofgovernors@portesbery.surrey.sch.uk

Area Schools Officer
Telephone: 01483 518106 (NW Office)

Surrey County Council's Internal Audit Team
Email: internal.audit@surreycc.gov.uk

Local Authority Designated Officer
Telephone: 0300 123 1650 option 3