

WHISTLEBLOWING

WHY DO WE HAVE THIS POLICY?

The school is committed to tackling fraud and any other forms of malpractice including matters financial and any aspect of deceit or abuse of position.

The school is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect staff, governors and anyone else working with or for the school in a paid or voluntary capacity, who has serious concerns about any aspect of the school's work to come forward and voice those concerns.

Staff, governors and anyone else working with or for the school in a paid or voluntary capacity, are often the first to realise that there may be something seriously wrong within the school. However, they 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. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

This document makes it clear that you can report your concerns without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing Procedure is intended to encourage and enable staff, governors and anyone else working with or for the school in a paid or voluntary capacity, to raise serious concerns **within** the school rather than overlooking a problem or raising the matter externally.

This procedure applies to all staff, governors, contractors or volunteers working with or for the school in a paid or voluntary capacity. It also covers suppliers and those providing services to the school.

AIMS AND SCOPE OF THIS PROCEDURE

Whistleblowing may be defined as the disclosure, by staff, governors and anyone else working with or for the school in a paid or voluntary capacity, (former or current), and other individuals, of illegal or illegitimate practices.

This Procedure aims to:

- Encourage everyone to feel confident in raising serious concerns and to question and act upon concerns about practices;
- provide avenues for you to raise those concerns and receive feedback on any action taken;
- ensure that you receive a response to your concerns;

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- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

There are existing procedures within the school to enable individuals to lodge a complaint or a grievance. The whistleblowing procedure is intended to cover major concerns that fall outside the scope of other procedures. These include:

- possible fraud and corruption;
- the unauthorised use of school funds;
- failure to comply with standing orders & financial regulations;
- failure to comply with codes of practice and/or statement of vision & values;
- conduct which is an offence or a breach of a statutory law;
- a criminal offence being committed (past, present or likely to be committed);
- disclosures related to miscarriages of justice;
- health and safety risks, including risks to the public as well as other employees;
- damage to the environment;
- sexual or physical abuse, or other unethical conduct.

ASSURANCES TO ALL EMPLOYEES

The school is committed to good practice and high standards and wants to be supportive of staff, governors and anyone else working with or for the school in a paid or voluntary capacity. The school recognises that the decision to report a concern can be a difficult one to make.

Disclosures made in good faith under this procedure will be treated confidentially, seriously and sensitively. Requests for anonymity, where made, will normally be met but there may be circumstances such as prosecutions or disciplinary investigations where you may be asked to come forward as a witness.

The school will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.

In addition to the school's assurances, under the Public Interest Disclosure Act 1998, where an employee has made a "qualifying disclosure" it is unlawful to dismiss or subject the employee to any other detriment as a result of this disclosure. A "qualifying disclosure" means any disclosure of information which, in the reasonable belief of the employee making the disclosure, tends to show one or more of the following:

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- a criminal offence has been committed, is being committed or is likely to be committed
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject
- a miscarriage of justice has occurred, is occurring or is likely to occur
- the health or safety of any individual has been, is being or is likely to be endangered
- the environment has been, is being or is likely to be damaged, or
- information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

UNTRUE ALLEGATIONS

If a person makes an allegation in good faith, but it is not substantiated, no action will be taken against the person raising the concerns. If, however, a person make an allegation frivolously, maliciously or for personal gain, the school will investigate this under the school's adopted disciplinary procedure and action may be taken against them.

HOW TO RAISE A CONCERN

As a first step, one should normally raise concerns with the Headteacher. If the matter relates to the Headteacher, the matter should be referred to the Chair of Governors. If the concern relates to the Chair of Governors, the matter should be raised with the School's Effectiveness Officer with the LA. If you feel unable to speak to either the Headteacher or Chair of Governors, you can use the LCC Whistle-Blowing line (tel: 225 2660) and calls will be put through to the relevant business unit manager, or you can complete the online form that is located on the City Council website.

Concerns may be raised verbally or in writing. The earlier a person expresses the concern the easier it is to take action. Although individuals are not expected to prove beyond doubt the truth of an allegation, it will be necessary to demonstrate that there are reasonable grounds for the concern.

One may wish to consider discussing the concern with a colleague first and you might find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

A person expressing a concern, may wish to invite their trade union, professional association representative or a colleague to be present during any meetings or interviews in connection with the concerns they have raised.

HOW THE SCHOOL WILL RESPOND

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- ❖ The school will follow the Audit Service, Human Resources Whistleblowing Procedure as outlined in the Liverpool City Council's Whistleblowing Procedure, a copy of which is available from the Clerk to the Governors.
- ❖ Clearly all staff will be reassured that concerns will be taken seriously and confidentiality will be ensured.
- ❖ The results of any investigation will be made known to the whistleblower.
- ❖ The Governing Body would be involved in any complaint as appropriate.
- ❖ Should the member of staff not feel that appropriate action has been taken as a result of their complaint, they are entitled, and indeed are obliged, to seek clarification on the nature of the remedial taken.
- ❖ The school will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.
- ❖ In order to protect 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. Concerns or allegations, which fall within the scope of specific procedures (e.g. grievance), will normally be referred for consideration under those procedures. In addition, issues initially raised within the whistleblowing procedure may also be dealt with within the disciplinary procedure.
- ❖ Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted. Where appropriate, the matters raised may be investigated by the Headteacher, Chair of Governors or Internal Audit. This will depend on the nature of the issue. All matters relating to alleged financial irregularities are investigated or overseen by Internal Audit.
- ❖ Within ten working days of a concern if you have left contact details you will be contacted to:
 - acknowledge that the concern has been received
 - indicate how the school proposes to deal with the matter
 - give an estimate of how long it will take to provide a final response
 - inform you whether any initial enquiries have been made
 - advise you on staff support mechanisms eg HR Adviser
 - inform you whether further investigations will take place and, if not, why not.

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- ❖ The amount of contact between those 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, the school will seek further information from you.
- ❖ Where any meeting is arranged, a trade union or professional association representative or a colleague can be present.
- ❖ 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 arrange for you to receive advice about the procedure.
- ❖ The school accepts that you need to be assured that the matter has been properly addressed. Subject to legal constraints, we will, therefore, inform you of the outcome of any investigation.

HOW THE MATTER CAN BE TAKEN FURTHER

The school hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the school, the following are possible contact points:

- Audit Commission
- your trade union
- your local Citizens Advice Bureau
- relevant professional bodies or regulatory organisation
- the police.

If you do take the matter outside the school, you should ensure that you do not disclose confidential information or information which is legally protected. Employees are also reminded that, in accordance with the code of conduct, contact with the press should only be made via the City Council's News Centre.

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