

Whistle Blowing Policy



Alexandra School

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Whistle Blowing Policy

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WHISTLE BLOWING POLICY

The Governing Body of Alexandra School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect and encourage employees, and others whom we deal with, who have serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis (i.e. between the employee raising the concern and the person to whom the concern is raised).

This policy makes it clear that you can do so without fear of victimisation, reprisal, subsequent discrimination or disadvantage. This policy is intended to encourage and enable employees and others to raise concerns within Alexandra School rather than overlooking a problem or 'blowing the whistle' outside, in line with the Public Interest Disclosure Act 1998.

The Governing Body will respond to all individuals who raise any genuine concerns that they may have about the conduct of others in the school, which are in the public interest.

WHAT IS WHISTLE BLOWING?

Someone blows the whistle when they tell someone in authority about a dangerous or illegal activity that they are aware of through their work. This can include health and safety risks, child protection issues, environmental issues, fraud, poor standards of care and other problems.

WHO CAN USE THE SCHOOL'S WHISTLE BLOWING PROCEDURE?

- All staff, whether full time or part time, permanent or temporary
- Students and volunteers
- Contractors working on School premises e.g. agency workers, builders.

WHEN SHOULD I RAISE A CONCERN?

This policy is intended to cover areas of concern such as the following:

- illegal activities;
- failure to comply with a legal obligation;
- miscarriages of justice;
- risks to health and safety;
- possible damage to the environment;
- misuse of public funds;
- fraud, bribery and corruption;
- sexual, mental or physical abuse of pupils;
- other wrongdoing, (including attempts to cover up wrongdoing).

For example, you could raise a serious concern about service provision, the actions of staff, or the actions of others acting on behalf of the Governing Body, which:

- fall below the Governing Body's standards of practice, including any Code of Conduct for Employees;
- are against the Governing Body's and policies;
- amount to improper conduct.

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HOW DOES THIS PROCEDURE FIT WITH THE GOVERNING BODY'S OTHER PROCEDURES?

This procedure does not replace the Governing Body's Complaints Procedure.

The whistle blowing procedure is about concerns regarding the public interest. If you are concerned about an issue relating to your personal position at work, you should use the Grievance procedure or another Human Resources procedure. This procedure also does not apply if you simply disagree with the way the school is run.

Where the concerns are about safeguarding children the school's designated teacher for safeguarding should be notified and the school's Child Protection Policy should be followed.

THE PROCESS

Who do I tell?

- As a first step you should normally raise concerns, either verbally or in writing, with the Headteacher.
- If you have concerns regarding the Head Teacher or a member of the SLT you can refer to the Designated Officer within the Local Authority (previously known as the LADO), Viv Rimmer. (0208316008).
- But if you feel unable to do so you can approach the Chair of Governors, Director of Learning and Children's Services, Chief Executive, or the Assistant Director of Finance - Audit. You can raise a concern by talking to someone or writing to them. You should provide as much information as possible including dates, times and names.

Is there any support available for me?

You can get the support of a staff representative, who may accompany you when raising a concern. Remember that by speaking up, it is not up to you to prove your concerns. However, you should be prepared to give the background and the reasons why you feel particularly troubled.

What happens next?

When a disclosure is made within the school we will look into your concern to see what should happen. This may involve:

- An internal investigation
- An external auditor
- An independent inquiry
- The police

We will normally write to you within 10 working days of receiving your concerns. We will list them, tell you who is handling the matter, how you can contact them and whether we need your further help. We will also tell you where to get support if you need it.

The amount of contact between the person considering the issues and yourself 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. Any meeting arranged for these purposes may be offsite, if requested.

The school accepts that all staff need to be assured that the matters will be properly addressed. Subject to legal constraints, staff who have raised the concern will be informed of the outcomes of any investigation to an extent which does not prejudice the right to confidentiality of others concerned.

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What happens in an internal investigation?

If there is an internal investigation, a special investigations team will be set up. This team is responsible for gathering all relevant information and meeting with all relevant staff. The team may interview a number of staff.

When they have finished their investigation, the team must produce a report on their findings. The report is then considered by senior management. Based on the findings, management will then decide what further action to take. This may include disciplinary action for anyone involved in any wrongdoing.

On the other hand, if the investigation finds that the concerns raised or allegations made by the person who has 'blown the whistle' are malicious, frivolous, or for personal gain, disciplinary action will be taken against them.

Depending on any legal restrictions on giving you information, we will let you know the outcome of any investigation.

Will I be involved in an investigation?

You may not want us to let people know that you have raised a concern. If we can investigate and resolve your concern without involving you, the Governing Body will not involve you further. If we are not able to resolve the problem without telling someone else who you are, we will always talk to you first.

The Governing Body encourages you to tell us who you are whenever possible as anonymous concerns are more difficult to investigate and the Governing Body cannot protect your position or give you any feedback if we don't know who you are.

Will I get into trouble? And will anyone find out that I have 'blown the whistle'?

The Governing Body does not allow the harassment or victimisation of anyone who raises a genuine concern. Harassment may result in disciplinary action.

But there may be a situation where you want to tell us of your concern and not let anyone else know that you have. If we are not able to resolve the problem without telling someone else who you are, we will always talk to you first.

Where can I get independent advice about raising a concern?

You can talk to:

- Your union
- An independent legal advisor
- The Citizens Advice Bureau
- The Independent Charity, Public Concern at Work, telephone number: 020 7404 6609. Their lawyers can give you free confidential advice on how to raise a concern about serious wrongdoing at work.

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Can I take the matter further?

We encourage all staff to use the procedure. If you are not satisfied with any action and you feel it is right to take the matter outside the school, you can contact RBK HR or one of the organisations listed below. Making a disclosure outside the school is more likely to be 'reasonable' if it is made to a person or body that has the appropriate jurisdiction. This will depend on the nature of the concern but might include:

Nature of concern

Criminal activity
Environmental damage
Breach of governance regulations
Financial irregularities
Serious misconduct of a teacher
Health and safety
Income tax/VAT
Child protection
Building regulations

Relevant external body

Police
Environment Agency
Local authority, RBK
RBK audit department
The Teaching Agency
Health and Safety Executive
HMRC
RBK Designated Officer
RBK Planning Department

Depending on the circumstances, other appropriate bodies may include the Children's Commissioner, Ofsted or the Secretary of State.

Protection for whistle-blowers

The Public Interest Disclosure Act 1998 makes it automatically unfair to dismiss a worker on the grounds that they undertook a 'protected disclosure' (ie a disclosure made with a reasonable belief that there has been a relevant malpractice of impropriety). In order for a staff member to be protected under this legislation they must take reasonable steps to raise the matter internally first before going outside the organisation to raise their concern.

Where a disclosure is merely an expression of opinion that fails to show that a legal obligation has been or is likely to be breached, it cannot amount to a protected disclosure for the purposes of the whistle blowing legislation. Employees must have reasonable grounds for believing the information they have is accurate and not just idle gossip or rumour.

Any attempt to victimise a member of staff who has reported a concern under this procedure may be dealt with under the school's Disciplinary Procedure.