



## BEECHEN CLIFF

### WHISTLE BLOWING POLICY

#### 1. Preamble

- 1.1 Employees are often the first to realise that there may be something seriously wrong within the School. They may not express their concerns for fear of harassment or victimisation or because by speaking up they may be considered disloyal to their colleagues or the School.
- 1.2 This school is committed to the highest possible standards and in line with that commitment and its duties under the terms of the Public Interest Disclosure Act 1998, it will :
  - encourage employees and others who have serious concerns about any aspect of the School's work to voice those concerns
  - recognise that certain cases will have to proceed on a confidential basis
  - enable employees to participate without fear of reprisals
  - enable employees to raise serious concerns within the School in a constructive and positive way rather than overlook a problem.

#### 2. Aims and Scope of the Policy

##### 2.1 The Policy:

- provides avenues for an employee to raise concerns and receive feedback on any action taken
- allows employees to take the matter further if they are dissatisfied with the School's decision

##### 2.2 The Policy does not replace:

- the School's complaints procedure
- its grievance procedure
- managerial responsibilities

##### 2.3 Employees' concerns may be about actions that include:

- conduct which is an offence or a breach of law
- disclosures relating to miscarriages of justice
- health & safety risks to public or employees
- damage to the environment
- unauthorised use of public funds
- possible fraud and corruption
- breaches of the School's Financial Regulations, Standing Orders or policies
- falling below established professional standards or practices
- improper or unethical conduct

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## 3. Safeguards

### 3.1 Harassment or Victimation

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 malpractice. It will not tolerate harassment or victimisation and will take action to protect an employee when a concern is raised in good faith.

If an employee is the subject of disciplinary or redundancy procedures when they raise their concerns, then those procedures will not automatically be affected. The information provided would be assessed in the light of the new circumstances and a decision taken as to how, if at all, those proceedings should be affected.

### 3.2 Confidentiality

The School will endeavour to protect the identity of an employee who raises a concern. However, as a result of the investigation process a statement may be required, as part of the evidence, and this will be seen by all parties.

### 3.3 Anonymous Allegations

Employees are encouraged to put their name to an allegation. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the School. The key factors to be taken into account in these circumstances will be the:

- seriousness of the issues raised
- credibility of the concern and likelihood of confirming the allegation

### 3.4 Malicious or Vexatious Allegations

When an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the employee voicing the concern. If, however, an employee makes a malicious or vexatious allegation, disciplinary action may be taken against that employee under the provisions of the school complaints policy.

## 4. Procedure

### 4.1 Contact Officers :-

Employees should initially raise concerns with their Line Manager. However, this does depend on the seriousness and sensitivity of the issues involved and who is thought to be involved in the matter that concerns them. If the matter is more serious, then any of the following officers should be contacted :-

- a) Their Head of Faculty/Department
- b) The Headmaster
- c) The Chairman of Governors (if the issue is with the Headmaster)
- d) The Designated Safeguarding Lead (if the issue concerns a pupil[s] or student[s])

### 4.2 There are also certain officers with delegated responsibilities who will need to be contacted on certain matters:

- Actual/potential unlawful conduct, maladministration, breach of law:
  - Head of School Improvement (LA)
- In respect of any actual/potential irregularity affecting Council resources
  - Chief Internal Auditor (LA)
- In respect of any matters relating to human resource or personnel issues:
  - Head of Human Resources (LA)

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Note in respect of both 4.1 and 4.2: if employees are unclear as to the most appropriate officer to contact, then they should in the first instance contact those identified in 4.1 as they will be able to advise on any Service specific arrangements that might exist.

- 4.3 Where there are local specific procedures (e.g. Social Services procedures) then these local specific procedures will apply.
- 4.4 Concerns are better raised in writing and should incorporate relevant information about specific incidents. The background and history of the concern including names, dates and places where possible and the reason why employees are particularly concerned about certain situations should also be provided. If an employee is unable to express their concerns in writing then they can contact the appropriate officer by telephone or arrange to meet them.

*(Also see Child Protection & Safeguarding Policy)*

- 4.5 The earlier a concern is expressed, the easier it will be to take appropriate action.
- 4.6 Although employees are not expected to prove the validity of an allegation, they will need to demonstrate to the appropriate officer contacted that there are sufficient grounds for raising the concern.

### 5. How the School will respond

- 5.1 The action taken by the School will depend on the nature of the concern. The matters raised may be:
  - resolved without the need for investigation
  - investigated internally
  - referred to the Police/Social Services/ LADO (Local Area Designated Officer)
  - referred to the External Auditor; or
  - form the subject of an independent enquiry
- 5.2 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, which fall under the scope of specific procedures (e.g. Social Service), will be referred for consideration under these procedures.
- 5.3 As soon as possible after a concern has been raised the School will write to the employee concerned to acknowledge the issue that has been raised and to indicate the future course of action.
- 5.4 The amount of contact between the employee raising the concern and the officers considering the issue will depend on the nature of the matters raised. An employee may be approached to provide further information.
- 5.5 If a meeting is arranged then an employee has a right to be accompanied by a Trade Union/Professional Association representative or some other person of their choice.
- 5.6 An employee raising a concern will need to be assured that the issue has been appropriately addressed. Therefore the School, subject to legal constraints, will inform the employee about the outcomes of any investigations

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### 6. How to take a concern further

- 6.1 This Policy is intended to provide employees with an avenue to raise concerns within the School / LA, hopefully to a satisfactory conclusion. Where all internal avenues have been exhausted, however, it may be necessary for an employee to take the concerns outside the Council and these are possible contact points:
- the External Auditor
  - relevant professional bodies or regulatory organisations
  - the Police

**Other related Policies** – Staff Behaviour Policy / Code of Conduct; Child Protection & Safeguarding Policy

KSM - Reviewed July 2017  
Shared/Whole School Policies/Whistle Blowing