

Boxgrove and Kidbrooke Park Primary Schools and Kidbrooke Park Learning Centre

Whistle blowing policy

Our Schools are committed to high standards of openness, probity and accountability. In line with this commitment Royal Greenwich encourages all employees with serious concerns about any aspect of work to come forward and raise their concerns without fear of being disloyal or suffering harassment or victimisation as a result.

It is important not to ignore concerns or suspicion of malpractice. Our Schools recognise that certain cases will have to proceed on a confidential basis so that the position of the 'whistleblower' can be protected.

This procedure provides a safe route to raise concerns within Our Schools at an early stage without fear of victimisation, discrimination or disadvantage. It is in everyone's interest that potential failings and malpractice are identified early so that the Leadership team can take appropriate action.

Where service users and members of the public have serious concerns, they should raise any issues through the Our Schools Complaint's procedure.

Aims and Scope

This procedure aims to encourage the raising of concerns in a confidential manner and to reassure employees that they will be protected from harassment or victimisation for whistleblowing in the reasonable belief that making the disclosure is made in the public interest.

This procedure applies to all employees and those contractors working for Our Schools or on its premises, for example agency staff. It covers those providing services under contract with Our Schools. It also applies to any person who undertakes to do or perform (or otherwise) any work or service for Our Schools such as casual workers and freelancers.

Key Principles

Our Schools make it clear that no employee will be subject to victimisation or other detriment by reporting concerns which they reasonably believe to be true. Any issue reported will be taken seriously and investigated. This may involve interviews or an investigation to establish the facts.

It is preferable that matters are raised where suspicion first arises rather than waiting for or searching for proof. Concerns raised will be treated in a confidential manner and feedback will be given on any action taken.

Employees should put their names to any allegation wherever possible. A complainant will need to demonstrate that there are reasonable grounds for the concern, and will be expected to co-operate with any investigation that takes place. If any meeting or interview is arranged, there is a right to be accompanied by a trade union representative or workplace colleague.

What concerns can be reported using this procedure?

This procedure can be used where there are serious concerns such as:

- Child protection issues
- Conduct which is an offence or breach of law (e.g Fraud)
- Miscarriages of justice

- Risks to health and safety
- Damage to the environment
- Unauthorised use of public funds
- Financial malpractice, fraud and corruption
- Abuse of clients
- Other unethical conduct, (including any attempts to cover up the above or any offence likely to be committed).

Within the context of the schools' work, the above could include serious concerns about service provision, the conduct of staff, or others, which fall below established standards of practice or legal requirements such as financial regulations.

If you are not sure if this is the right procedure or want confidential advice, the Confidential Reporting Hotline can provide advice. This is a free phone number 0800 169 6975 or they can be emailed at fraud@royalgreenwich.gov.uk. Public Concern at Work (PCAW) is a charitable organisation that offers free, confidential advice. It focuses on the responsibility of workers to raise concerns about malpractice, and the responsibility of those in charge to investigate and remedy such issues. The website also contains a full copy with explanatory notes of the legislation, the Public Interest Disclosure Act 1998.

Matters outside the scope of this procedure

This procedure is not intended to cover concerns that can be progressed under Human Resource policies and procedures. Our schools have a Grievance Procedure for dealing with employment related complaints. Employees are not able to "blow the whistle" about breaches of their own employment contract. However, complaints about such breaches should be raised under the Grievance procedure

Employee responsibilities

All employees have a duty of confidentiality to our Schools and therefore it is important that this procedure is used and not ignored. It will very rarely, if ever, be appropriate to make any disclosure externally to the press or media. Taking such steps could result in disciplinary action. The Public Interest Disclosure Act 1988 does provide protection to individuals who make certain disclosures of information in the public interest but anyone wishing to make an external disclosure is strongly advised to seek legal advice before doing so as they may put their employment at risk.

Business ethics are increasingly seen as an issue that can build or damage an organisation's reputation and public trust. Therefore all staff have a general responsibility to report all suspected concerns using this procedure for the positive benefit of all.

Safeguards

Where malpractice is shown to have occurred this may reflect badly on management, systems, or on individual managers. Whistle-blowers may fear that management will be tempted to 'shoot the messenger'. It is important for employees to understand that there will be no adverse repercussions for raising reasonable concerns. The following safeguards exist when following this procedure:

Harassment and Victimisation:

Both Boxgrove and Kidbrooke Park recognise that the decision to report a concern can be a difficult one to make, especially if the issue involves another employee, a senior manager or someone in authority. If concerns are raised out of a reasonable belief, there will be nothing to fear because whistle-blowers raising matters of concern are protected from harassment, victimisation, and disciplinary action. No staff member or worker is to subject an employee who has blown the whistle

to any form of mistreatment as a result and managers must ensure there is no harassment or victimisation.

Confidentiality:

It is recognised that raising a concern will require this to be done in confidence under this procedure. Boxgrove and Kidbrooke Park will try and protect the identity of employees who raise a serious concern and do not want their identity to be disclosed. However, it should be recognised that in some instances, it may not be able to resolve the concern without revealing identity (for instance because a statement from an employee may be required as supporting evidence). In these circumstances the employee will be advised on how the investigation will proceed. If a whistle-blower is required to give evidence in criminal or disciplinary proceedings, the school will arrange for them to receive advice and support from RBG.

How to Raise a Concern

The matter has to be kept strictly confidential and therefore only told to someone in authority. Failure to do so could result in allegations of spreading unsubstantiated rumours or gossip invoking the disciplinary procedure. As a first step, concerns should be raised with the line manager or supervisor because the issue causing concern could be immediately clarified. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the alleged wrongdoing or malpractice.

If the employee believes that the manager or supervisor is involved or they believe that the matter may not be dealt with properly, the employees can raise their concerns with their EHT or chair of governors who have responsibility for investigating issues. Concerns can be raised in writing and clearly marked 'confidential'. Employees should set out the background of the concern, giving names, dates, times and places where possible, and the reason why they are particularly concerned about the situation so this can be registered.

Employees are not expected to provide proof of an allegation but they should demonstrate when providing information that there are sufficient grounds for the concern.

If you do not feel comfortable raising the issue within the Royal Borough, the Public Interest Disclosure Act allows disclosures to The Comptroller and Auditor General National Audit Office.

The Comptroller and Auditor General National Audit Office

157-197 Buckingham Palace Road

London

SW1W 9SP

Tel: 020 7798 7999

www.nao.org.uk/contact-us/

8.8 Anonymous correspondence

The School and Royal Greenwich will treat all anonymous allegations seriously but a concern expressed anonymously is much less powerful and can prove difficult to investigate where all the facts are not known or further information is required and the person cannot be contacted to provide further details. For this reason, it may not be possible for us to conduct a full investigation.

If you work for an agency or are a temporary worker:

As a first port of call, you should notify the HOS of any concerns.

The School leadership response

The action taken by the Schools will depend on the nature of the concerns raised. The matters raised will normally be investigated internally. However, in appropriate cases the concerns may be referred to a regulatory body or the Police in criminal matters. In order to protect the employee, the school and also those accused of possible wrong doing or malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form the investigation should take. The overriding principle is that of the public interest. Concerns or allegations that fall within the scope of specific procedures will normally be referred for consideration under those procedures.

Some concerns may be resolved by immediate agreed action without the need for a full investigation e.g. repairs that may present a Health and Safety risk. If urgent action is required, this will be taken before any investigation is conducted.

Within ten working days of a concern being received, where the identity of the employee is known, the school will write to the employee:

- acknowledging that the concern has been received;
- indicating how it proposes to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- telling the employee whether any initial enquiries have been made, and
- Telling the employee whether further investigations will take place, and if not, why not.

Both Boxgrove and Kidbrooke Park will take steps to minimise any difficulties that employees may experience as a result of raising a concern. For instance, if it becomes necessary to give evidence in criminal or disciplinary proceedings, we will provide the necessary advice about the procedure and give whatever practical support that is possible.

The schools accept that employees need to be assured that the matter has been properly addressed. Thus, subject to any legal constraints, employees will normally receive feedback about the outcome of any investigation.

The EHT has overall responsibility for the maintenance and operation of this procedure and will ensure that a register of concerns is maintained together with the results of any investigations carried out. Information will be kept in the strictest confidence, in a secure location and in accordance with the Data Protection Act.

False Allegations:

If an employee makes an allegation in reasonable belief and on the balance of probabilities this is confirmed by an investigation, no action will be taken against the employee. If, however, an employee makes an allegation for an ulterior motive, e.g. for a malicious reason and evidence support this, disciplinary action will be taken against that employee which could result in dismissal.

Check-list

If you are thinking of raising a concern, here are a few things to remember:

YES: PLEASE DO...

- Raise the matter as soon as possible if you reasonably feel your concerns are warranted.
- Tell your suspicions or concerns to someone who has the appropriate authority to deal with them.

NO: PLEASE DO NOT...

- Do nothing. we would prefer you to raise your concerns so that we can carry out a full and fair investigation.
- Be afraid of raising your concerns. The school has safeguards in place to protect staff who raise a concern.

- Be assured that the school will take seriously concerns raised based on honest and reasonable suspicions.
- Familiarise yourself with the whistle blowing procedure.
- Consider writing down the key points and details as to why you are concerned.
- Try to investigate the matter yourself. This may complicate any later enquiries, particularly if a criminal investigation becomes necessary.
- Approach or accuse any individuals directly.
- Tell your suspicions or concerns to anyone other than those with the proper authority.

For further information on the operation of this procedure, please contact the Schools' Hr Team.