Whistleblowing Policy

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Introduction

The Public Interest Disclosure Act 1998 came into force on 2 July 1999. The Act provides employees with legal protection against dismissal or detriment for raising concerns about matters in the public interest. It also seeks to ensure that any person suspecting malpractice knows how to raise concerns and what procedures are in place to deal with them.

The staff and governors of Robin Hood Junior School seek to run all aspects of school business and activity with full regard for high standards of conduct and integrity. In the event that members of school staff, parents, governors, contractors or the school community at large become aware of activities which give cause for concern, Robin Hood Junior School has established the following whistle blowing policy, which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion. It also reflects the relevant provisions of the Enterprise and Regularity Reform Act 2013.

Throughout this policy, the term whistle-blower denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the Second Report of the Committee on Standards in Public Life: Local Spending Bodies published in May 1996.

Robin Hood Junior School is committed to tackling fraud and other forms of malpractice, as well as ensuring safeguarding systems are rigorous and thorough. We treat these issues seriously. The school recognises that some concerns may be extremely sensitive and has therefore developed a system, which allows for the confidential raising of concerns within the school environment but also has recourse to an external party outside the management structure of the school.

Robin Hood Junior School is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved. Staff will be reminded of this policy at the start of every academic year by the Headteacher.

Staff must acknowledge their individual responsibility to bring matters of concern to the attention of senior management and/or relevant agencies. Although this can be difficult this is particularly important where the welfare of children may be at risk.

You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young people who are targeted. These children need someone like you to safeguard their welfare.

If a child is at risk you should inform the school DSL or use the NSPCC helpline 0808 800 5000. If a child is in immediate danger, call 999.

Don't think what if I'm wrong - think what if I'm right

The provisions of this policy apply to matters of suspected fraud, impropriety and safeguarding, not matters of more general grievance, which would be dealt with under the school's grievance procedures.

When might the Whistle Blowing Policy apply?

The type of activity or behaviour, which the school considers should be dealt with under this policy, includes:

- Safeguarding issues with regard to children
- Manipulation of accounting records and finances
- Inappropriate use of school assets or funds
- The health and safety of any individual has been, is being or is likely to be endangered
- Decision-making for personal gain
- Any criminal activity or failure to comply with a legal obligation
- Abuse of position
- Fraud and deceit
- Serious breaches of school procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)
- Breaches of any statutory Code of Practice
- Discrimination in employment or the provision of education

Reasons for whistle blowing

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour
- To prevent the problem worsening or widening
- To protect or reduce risks to others
- To prevent becoming implicated yourself

What stops people from whistle blowing

- Starting a chain of events which spirals
- Disrupting the work or project
- Fear of getting it wrong
- Fear of repercussions or damaging careers
- Fear of not being believed

Not all concerns about the school count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

Where staff have a concern they should consider whether it would be better to follow our staff grievance or complaints procedures.

What action should the whistle-blower take?

We encourage the whistle-blower to raise the matter internally in the first instance to allow those school staff and governors in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

We have designated a number of individuals to specifically deal with such matters and the whistle-blower is invited to decide which of those individuals would be the most appropriate person to deal with the matter.

Persons to report to:

Co Head Teacher	Gary Kench
Co Head Teacher & DSL	Emma Rix
School Business Manager	Carrie Cookson
Chair of Governors	Donna Foster chairofgovernors@robinhood-junior.org.uk

The whistle-blower may prefer to raise the matter in person, by telephone or email or in written form marked private and confidential and addressed to one of the above named individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

Alternatively, if the whistle-blower considers the matter too serious or sensitive to raise within the internal environment of the school, the matter should be raised with Margaret Culleton, Head of Internal Audit. She can be contacted by telephone, email or by post as follows:

Margaret Culleton, Head of Internal Audit (Sutton & Merton)
London Borough of Sutton, Civic Centre, St Nicholas Way, Sutton SM1 1EA
Tel: 020 8770 5000
Email: margaret.culleton@sutton.gov.uk

How to raise a concern

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken.
- Try to pinpoint exactly what practice is concerning you and why.
- Approach your immediate manager or Headteacher (who is also the Lead Officer for Safeguarding Education) – see above.
- If your concern is about your immediate manager/Headteacher, or you feel you need to take it to someone outside the school, contact the Head of Internal Audit on 020 8770 4956.
- Make sure you get a satisfactory response - don't let matters rest.
- Ideally, you should put your concerns in writing, outlining the background and history, giving names, dates and places where you can.

- A member of staff is not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

The Local Authority has its own procedures for dealing with such matters and will ensure every effort to respect the confidentiality of the whistle-blower. The Local Authority will ensure relevant officers of the Department for Education are informed as appropriate.

In addition information and free independent advice can be obtained from the charity Public Concern at Work (www.pcaw.org.uk). They will provide free, confidential advice at any stage about how to raise a concern about serious malpractice at work. Contact details for the charity are as follows:

Public Concern at Work
CAN Mezzanine, 7 - 14 Great Dover Street, London SE1 4YR

Free advice on whistleblowing from Public Concern at Work is also available over the telephone (020 7404 6609) and via email (whistle@pcaw.org.uk)

How will the matter be progressed?

The individual(s) in receipt of the information or allegation (the investigating officer(s)) will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of school staff, legal or personnel advisors, the police, the Department for Education, the Local Authority. An investigation should normally be completed within one month.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the governing body, will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral such as the police.

The whistle-blower will be informed of the results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the governing body and the Local Authority.

If the whistle-blower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigating officer(s), the governing body and/or directed to the Local Authority within 5 working days of being advised of the outcome.

Respecting confidentiality

Wherever possible, Robin Hood Junior School seeks to respect the confidentiality and anonymity of the whistle-blower. Appropriate steps will be taken to ensure that the worker's working relationships are not prejudiced by the fact of the disclosure and action taken, where possible, against those that are responsible for detrimental treatment.

Robin Hood Junior School will not tolerate any attempt to victimise the whistle-blower or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

Raising unfounded malicious concerns

Individuals are encouraged to come forward in the public interest with genuine concerns with the knowledge they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

External disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases staff should not find it necessary to alert anyone externally.

The law recognizes that in some circumstances it may be appropriate for staff to report their concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Whistleblowing concerns usually relate to the conduct of school staff, but they may sometimes relate to the actions of a third party, such as a service provider. The law allows staff to raise a concern in the public interest with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, staff are encouraged to report such concerns internally first. Staff should contact one of the other individuals set out above for guidance.

Self-reporting

There may be occasions where a member of staff has a personal difficulty, perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with their line manager so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most instances, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

Further advice and support

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your line manager, HR department and/or your professional or trade union.

Conclusion and links with other policies

Existing good practice within Robin Hood Junior School in terms of its systems of internal control both financial and non-financial and the external regulatory environment in which the school operates ensure that cases of suspected fraud, impropriety or safeguarding issues rarely occur. This whistle blowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and if necessary outside the management structure of the school. This document is a public commitment that concerns are taken seriously and will be actioned.

This policy links with our policies on:

- Staff grievance policy
- Complaints procedure
- Child protection policy

Approved at FGB November 2024