



**THE FEDERATION OF
LOWER HALSTOW & NEWINGTON CEP SCHOOLS**

Whistleblowing Policy

School Websites

www.newington.kent.sch.uk
www.lower-halstow.kent.sch.uk

Approved	Team	Review Date
Oct 2017	L&D	Autumn 2018

Whistleblowing policy

Introduction

Lower Halstow School and Newington CEP School (The Federation) are committed to the highest possible standards of openness, honesty and accountability. We encourage all employees, and any others who work with us, to raise any concerns about any aspect of our work, and to come forward and express those concerns. In some cases, concerns may need to be in confidence.

This procedure encourages employees to raise serious concerns, without fear of reprisal or victimisation within The Federation, or if necessary within KCC, rather than overlooking a problem or dealing with the matter outside. This applies to all employees, agency workers and those contractors who work on the premises eg cleaners, volunteers or kitchen staff.

This policy is in addition to our complaints procedure. Headteacher and governors are responsible for making staff aware of these procedures. Any investigation into allegations of malpractice under this procedure will not influence or be influenced by any disciplinary or redundancy procedures that already affect any individual.

Aims

This procedure aims to ensure individuals are:

- Encouraged to feel confident in raising serious concerns and to question and act upon concerns about practice
- Provided with avenues to raise concerns and receive feedback on any action taken
- Given a response to their concerns and know how to pursue them if they are not wholly satisfied with that response
- Protected from reprisals or victimisation if they have reasonable belief any disclosure has been given in good faith

There are existing procedures in place for individuals to express concerns or complaints relating to their own employment. These include harassment and bullying. This policy is intended to cover concerns that fall outside the boundary of other policies.

These include:

- Conduct which is, has been or is likely to be an offence or breach of law
- Conduct that has occurred, is occurring or is likely to occur, the result of which we fail to comply with a legal obligation. For example possible fraud and corruption, sexual or physical abuse of clients, or unethical conduct or discrimination.

- Disclosures connected to past, current or likely miscarriages of justice
- Past, present or likely health and safety issues, including risks to the public or employees.
- Past, current or likely damage to the environment

Complaints about any aspect of service provision or the conduct of a member of staff, volunteer, or others working within the school, can be reported under the confidential disclosure procedure. This may be about something that you:

- Feel uncomfortable about in terms of known standards, your experience or the standards you believe set by The Federation
- is against the schools standing orders or policies
- Falls below established standards of practice
- Amounts to improper conduct

The Health and Safety Policy should be used to raise any issues, concerns or complaints relating to health and safety which are not confidential.

Confidentiality:

All concerns will be treated in confidence and every effort will be made not to reveal the whistleblower. However, this may not be possible if you are called to be a witness.

Anonymous Allegations:

It is preferred that your name is put to your allegation as this is a more powerful tool than those that are not. However anonymous allegations will be considered and investigated at the school's discretion. In exercising discretion certain factors would include:

- the seriousness of the allegation
- the credibility of the concern
- the likelihood of confirming the allegation from attributed sources

Untrue allegations:

There will be no action taken for allegations which have been made in good faith and prove to be unfounded. However those which may contain an element of malice by the complainant will be taken very seriously and may result in a disciplinary action.

How to raise a concern:

General:

Concerns can be raised verbally or in writing. One raised in writing should:

- set out the background and history of the concern, giving names, dates and places

- the reason why you are so concerned about this situation
- The earlier the concern is raised the quicker it can be dealt with. The whistleblower will need to prove beyond doubt the truth of the allegation and that there is sufficient grounds for your concern.
A trade union or professional association may raise a matter on behalf of the employee.

Step one: raising a concern

Wherever possible concerns should be raised with your immediate manager or the offender's manager. If this is not appropriate, you should approach the following according to the nature of the concern:

LADO (Local Authority Designated Officer) 03000 410888

e-mail : kentchildrenslado@kent.gov.uk

NSPCC – 0800 0280285

There is an anti-fraud and corruption policy statement and all suspected financial irregularities must be reported to the Chief Auditor.

Step two: How the Federation will respond

The action taken will depend on the nature of the concern. Matters to be considered may

- be investigated internally by management, Internal Auditor through the disciplinary or other internal process
- be forwarded to the police
- be forwarded to the External Auditor
- form the basis of an independent inquiry

In order to protect individuals and the Federation, initial enquiries will be made to establish whether an investigation is appropriate and, if so, how to proceed with it. Concerns or allegations which fall within this scope of specific procedures (e.g. child protection or discrimination matters) will be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need of further inquiries. If urgent action is necessary this will be put in place before any investigation is started.

Whistleblowers will be written to within 10 days:

- confirming that a concern has been received
- indicating how the matter will be investigated
- giving an estimated time before a final response can be established
- informing them if any initial enquiries have been made
- whether any further investigations are needed and, if not, why not

Contact:

The amount of contact between each party considering the issues and the whistleblower will depend on the nature of the concerns raised, the impending

difficulties involved and the clarity of the information given. If necessary, further information may be required.

Attending meetings:

When any meeting is arranged you have the right to be accompanied by a trade union representative or colleague who is not directly involved.

Support:

The Federation will take steps to minimise any difficulties you may encounter as a result of raising a concern eg if you are required to give evidence in criminal or disciplinary proceedings, advice will be given to support you through this.

Harassment or victimisation will not be tolerated (including informal pressures) and action will be taken to protect individuals who have raised concerns in good faith.

The Federation acknowledges that assurances must be given and concerns properly dealt with and, subject to legal constraints, will provide information about the outcomes of any investigation.

How the matter can be taken further:

This procedure is intended to provide individuals with a way to express their concerns within the Federation and the Local Authority. If you are not satisfied, and it is felt right to take the matter further, the following are possible contact points:

- Public Concern at Work 020 7404 6609
- Audit Commission 0303 4448330
- Local KCC member
- Relevant professional bodies or regulatory organisations
- Solicitor
- Police

If a matter is taken outside the Federation and Local Authority, all reasonable actions must be taken to ensure confidentiality and privileged information is not disclosed. If in doubt, check with the named KCC contact.

Public interest disclosure:

Public Interest Disclosure Act 1998 gives employees two safeguards in respect of disclosures of information.

- An employee is entitled not to be subjected to any detriment by virtue of having made a protected disclosure
- The dismissal of any KCC employee directly due to the individual having made such a disclosure will automatically be unfair.