



## WHISTLEBLOWING POLICY

### Value Statement (who we are):

Coombe Hill Infants' School is an inclusive, community school with a strong tradition of mutual respect and tolerance within a nurturing family environment.  
We provide an outstanding education for all children.

### Vision Statement (what we strive for):

Our vision is to develop strong minds, bodies and spirit in preparation for life. We sow the seeds of curiosity, enthusiasm and resilience to ensure all children continue to delight in their lifelong love of learning.

Statutory:

Responsibility: Janet Berry

Reviewed on: March 2017

Reviewed by: Janet Berry

Next review Date: March 2020

Governor Committee: Resources

Chair: Kathryn Moore

**"Safeguarding is everyone's responsibility".**

Coombe Hill Infants' School complies with the relevant legal duties as set out in the Equality Act 2010 and the Human Rights Act 1998; we promote equality of opportunity and take positive steps to prevent any form of discrimination, either direct or indirect, against those with protected characteristics in all aspects of our work.

## Introduction

Coombe Hill Infant School is fully committed to our Whistleblowing Policy and Procedure described in further detail below.

Whistleblowing occurs when an employee or worker provides certain types of information, usually to the employer or a regulator, which has come to their attention through work. The whistleblower is usually not directly, personally affected by the danger or illegality, although they may be. Whistleblowing is therefore 'making a disclosure in the public interest' and occurs when a worker raises a concern about danger or illegality that affects others, for example members of the public.

Employees and workers who make a 'protected disclosure' are protected from being treated badly or being dismissed. The key piece of whistleblowing legislation is the Public Interest Disclosure Act which applies to almost all workers and employees who ordinarily work in Great Britain. The situations covered include criminal offences, risks to health and safety, failure to comply with a legal obligation, a miscarriage of justice and environmental damage.

Coombe Hill Infant school acknowledges that RBK is committed to developing and delivering high quality services to local people. In maintaining public confidence in our services we are committed to the highest standards of openness, probity and accountability. Managers have a particular responsibility to prevent malpractice at work and to take steps to identify and remedy it if it occurs. However, all employees have an important contribution to make to this process. All employees have a valuable part to play in protecting the Council's and the public interest as staff are often best placed to identify and draw attention to problems at an early stage.

Coombe Hill Infant School recognises that staff may feel reluctant to come forward to raise concerns - to "blow the whistle" - for a range of reasons. You may feel that:

- you don't know the "right way"
- it's "none of your business"
- it's only a suspicion
- it would be disloyal
- there may be "recriminations"
- it may seem easier to "look the other way".

However everyone has a responsibility to be alert to and to speak up about any serious concerns they may hold about malpractice on the part of others. The purpose of the simple procedure which follows, is to provide a framework within which employees can feel confident both in voicing

genuinely held concerns about practice, without fear of recrimination, and in RBK's commitment to investigating and taking firm management action where malpractice may be substantiated

### **Application.**

This Procedure applies to all employees of RBK including part-time employees and Teachers and Lecturers. It is also available for use by agency or contractor staff or other workers providing services to or on behalf of the Council.

### **Scope**

The Procedure is intended to cover concerns, which affect clients, colleagues, or the council itself.

These may include:

- conduct which is, has been or is likely to be an offence or breach of law ;
- miscarriages of justice;
- risks to health and safety;
- damage to the environment;
- unauthorised use of public funds;
- Possible fraud and corruption.
- abuse of clients
- other wrong doing or unethical conduct, (including any attempts to cover up the above or any offence likely to be committed)

Within the context of the Council's work, these could include serious concerns about service provision, the conduct of officers, or others acting on behalf of the Council which

- fall below established standards of practice, including RBK's Code of Conduct for Employees;
- are against Standing Orders and policies;
- Amounts to improper conduct.

If something is troubling you which you feel the Council should look into, please use this Procedure.

### **Relationship with other Procedures**

This Procedure does not replace the Corporate Complaints Procedure for service users, or the Social Services Guidance for Staff Concerned about Staff Conduct Regarding Service Provision. Similarly the Procedure primarily concerns matters, which have a public interest dimension; if you are concerned

about an issue relating to your personal position at work, you should use the Grievance or other appropriate Personnel Procedure.

### **Role of Trade Unions**

The Procedure has been developed in consultation with Staff Side Representatives and Teachers Professional Associations and has their full support. Trade Unions will advise employees on raising concerns and /or support them in doing so, as appropriate.

## **PROCEDURE FOR REPORTING CONCERNS AT WORK**

### **Whom should I approach?**

Normally you should approach your immediate manager.

If, for any reason you feel unable to do so, or depending on the seriousness of your concern you may approach a senior manager, your Head of Service, Director or the Chief Executive. In cases of financial irregularity or where fraud or corruption is suspected, all staff may approach the Assistant Director of Finance, Audit.

*Social Services* staff may approach the Customer Services Officer, or any of the named senior officers mentioned above.

*Schools staff* should normally approach the Headteacher; however if the nature of your concern makes that inappropriate, the Chair of the school's governing body, Director of Education, Chief Executive, or the Assistant Director of Finance, Audit.

### **How do I raise my concerns?**

You may raise concerns verbally or in writing. If you are raising a matter with your immediate manager specifically under this procedure you should ensure they are made aware of the fact. You may seek the support of a staff representative, who may accompany you when raising a concern. Remember that by speaking up, it is not your responsibility to prove your concerns. However, you should be prepared to give the background and the reasons why you feel particularly troubled.

The Council encourages you to tell us who you are whenever possible as anonymous concerns are more difficult to investigate and the Council can not protect your position or give you any feedback.

### **How will the Council handle the matter?**

Once you have told us of your concern, we will look into it to assess initially what action

should be taken, if any. This may involve an internal investigation; be referred to the external Auditor; form the subject of an independent inquiry; or be referred to the police. Normally within 10 working days of you raising the concern, we will write to you summarizing your concerns, tell you who is handling the matter, how you can contact them and whether your assistance may be needed. You will also be told of other support mechanisms, which may be available to you. Subject to legal constraints, you will be informed of the outcome of any investigation.

### **Will I be involved in an investigation?**

If you do not want us to reveal your identity and it is possible to investigate and resolve your concern without your involvement the Council will not involve you further. However if we can not deal with the concerns you raise without your involvement we will discuss with you whether or how to proceed.

### **Independent Advice**

If you are in any doubt about making a disclosure you could talk to your union, or an independent legal advisor. Alternatively, you may contact the Independent Charity, Public Concern at Work telephone number: 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

### **What about Confidentiality?**

We will not tolerate the harassment or victimisation of anyone raising a genuine concern and such conduct may result in appropriate disciplinary action being taken. However, we recognise that there may be a situation where you wish to raise a concern in confidence under this policy. If you ask us to keep your identity confidential, we will not disclose it without your consent. If the situation arises where we are not able to resolve the concern without disclosing your identity we will discuss with you whether or how we can proceed.

### **How the Matter can be taken further?**

The aim of this Procedure is to provide you with a mechanism within the Council to raise concerns in a structured and supportive environment and to reassure you that your concerns will be addressed seriously, promptly and thoroughly. We would encourage all staff to use the Procedure. However if you are not satisfied with any action and if you feel it is right to take the matter outside the Council, the following are possible contact points:

- the Audit Commission - Tel No. **0303 444 8330 or 0207828 1212**
- External Audit (Guildhall 2) - Tel No. 0208 547 5599
- the Health and Safety Executive - Tel No. 020 7556 2100 or 0207 717 6000
- the Information Commissioner's Office - Tel No.01625 545745

### **Malicious Allegations**

The Council expects that in raising concerns under this Procedure, staff will be acting in good faith. Accordingly, if on enquiry employees are found to have been mistaken and concerns are not

confirmed, no action will be taken. However, should it be established in any case that concerns have been raised or allegations maliciously, frivolously, or for personal gain, disciplinary action will be taken.

### **Public Interest Disclosure Act**

This Procedure is intended to support the Public Interest Disclosure Act which provides workers with protection from dismissal or other detriment as a result of making a disclosure of information in the public interest about malpractice at work. Such disclosures are protected if they are done in accordance with the Act's provisions. Subject to these provisions disclosures may be made to the employer, prescribed regulatory bodies or on a wider basis e.g. to the Police. The Act's protection is strongest where workers raise matters with their employers.

The purpose of this Procedure is to encourage and enable you to raise concerns within RBK rather than overlooking problems or "blowing the whistle" outside the Council.

### **Confidential Information**

Employees must note that improper, external disclosures of information relating to third parties to which the Council owes a duty of confidence may not be protected and may lead to disciplinary action, including the possibility of dismissal. **If you are in any doubt you should seek further advice from your manager, union, lawyer or Public Concern at Work (020 7404 6609)**

### **Responsibilities**

**The Chief Executive / Head of Personnel** has overall responsibility for overseeing the operation of this Procedure. **The Head of Legal Services** as Statutory Monitoring Officer has a specific duty in appropriate cases to report to the Council on any proposal, decision, or omission by the Council, any of its Panels or Committees, the Cabinet or officers which contravenes the law or causes mal-administration or injustice. **Managers** are responsible for ensuring that the Monitoring Officer is alerted in appropriate cases.