

Batley Girls' High School – Visual Arts College

Policy Document

Whistleblowing Policy

Produced by: WJB

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Introduction

The staff and governors of Batley Girls' High School seek to run all aspects of school activity and business with full regard for high standards of conduct and integrity. If members of school staff, parents, governors or the school community at large become aware of activities which give cause for concern, we have this whistle blowing policy. This 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, under the school's disciplinary procedure.

We are committed to tackling fraud and other forms of malpractice and treat these issues seriously. We recognise that some concerns may be extremely sensitive. We have therefore developed a system which allows for the confidential raising of concerns within the school environment but which also has recourse to an external party outside the management structure of the school.

Appropriate circumstances for whistle blowing

Individuals are encouraged to come forward with genuine concerns, knowing that they will be taken seriously. A whistle blower (The Representor) should ask themselves a few questions about their concern before taking action:

- Is it in the public interest?
- Is it, or do you believe it to be, illegal?
- Is it a criminal offence?
- Is the environment damaged or likely to be damaged
- Is it, or do you believe it to be, against codes of practice issued by the school, the local authority (LA), the DFE or a professional body?
- Does it contradict what the employee has been taught, or should have been taught?
- Is it about an individual's behaviour or is it about general working practices?
- Has the whistle blower witnessed the incident?
- Does it constitute the covering up of wrongdoing?

If any individual raises malicious unfounded concerns or attempts 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. The Co-Heads will consider whether any disciplinary action is appropriate against the individual who made it. The police may be asked to consider whether any action might be appropriate against the person responsible, even if he or she was not a pupil or employee.

Examples of issues include:

- Manipulation of accounting records and finances.
- Inappropriate use of school assets or funds.
- Gross mismanagement of funds.
- Decision making for personal gain.
- Any criminal activity.

- Damage to the environment of the school, to property belonging to the school or to a member of the school community.
- Dangerous practices.
- Child protection issues including sexual, emotional or physical abuse of pupils or others.
- Abuse of position.
- Serious misuse or abuse of authority.
- Fraud and deceit or corrupt practices.
- Serious breaches of school procedures which may advantage a particular party (for example, tampering with tender documentation, failure to register a personal interest).
- Other unethical conduct, including the circulation of inappropriate e-mails.
- Suppressing information about anything listed above.

Whistle blowers are encouraged to put their name to an allegation. If confidentiality is requested, the governing body will do its best to protect the identity of any member of staff who raises concerns. It will not disclose the identity of the whistle blower to the person who is the subject of the disclosure or to others not involved in the investigation unless it is absolutely necessary to do so and only with the prior consent of the individual concerned.

There are, however, circumstances under which complete confidentiality may be difficult for the governors to maintain. For example:

- If the matter leads to a legal procedure and evidence is required by the court.
- If the issue raised comes within the remit of another school procedure and the whistle blower is asked to provide a signed statement as part of the evidence, thus revealing their identity.

Anonymous allegations will only be considered if the issues raised are:

- Very serious.
- The credibility of the allegation is considered to be high.
- The likelihood of confirming the allegation is high.

Procedure

Stage 1

- As the first step, the matter should be raised with an appropriate level of line management which would normally be the line manager. Much depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. If there is a belief that the immediate manager(s) is involved, a Co-Head or the Chair of governors should be approached.
- Concerns may be raised orally or in writing, although it is preferable for an allegation to be set out in writing. An allegation may also be made by phone. It is important, however, that when the concern is raised, it is made clear that the issue is being raised under the whistle blowing policy.
- There will be a need to demonstrate that there are sufficient grounds for concern.

- If the allegation is written, the background and history should be set out, giving names, dates and places wherever possible, and the reasons why the situation is a cause for concern. This statement should be dated and signed.
- If the allegation is made orally, a friend or representative of a trade union/professional association can be invited to be present. It is also permissible for a trade union or professional association representative to raise the matter on a representor's behalf.
- If there is a wish to raise the concern confidentially, this must be made clear to the person who is initially contacted.
- If issue is raised orally, there will be a request to put the concerns into writing, which should be dated and signed.
- The line manager should share what steps the line manager intends to take to address the concern. He/she may be able to take the appropriate steps to investigate the matter raised. Alternatively, he/she may refer the matter to a member of the senior leadership team, a Co-Head or to the chair of governors.
- Once the issue has been raised, contact will be made within five working days by the Co-Head or the Chair of governors, who will arrange to meet to discuss the matter. Again, a friend or trade union/professional association representative may accompany for the purposes of giving support.
- Notes will be taken of the details of the concern and the representor will be asked to sign a copy of these notes.
- Depending on the gravity of the allegation, the Co-Head will consult with the appropriate body. It is at this point that it may become impossible to retain complete confidentiality, should the matter become an issue, for example for the school's disciplinary policy or even a matter for the police. The co-headteacher should always inform a representative from the Academy's legal services/insurers.
- An initial response will be given within five working days. The representor will be informed of the progress of the investigation and if continued confidentiality is an issue.
- When the matter has been fully investigated and a conclusion reached, a formal written response will be issued to the representor.
- The line manager/Co-Head will also notify the person who is the subject of the disclosure within five working days of the meeting. Upon receipt of the information, the individual will be able to appeal against any decisions by writing to the co-headteacher or governing body.

Stage 2

- If the representor is dissatisfied with the school's response, they can raise the matter within 10 working days of the date of the school's response by writing to the Co-Heads or Chair of governors.
- The Co-Head/Chair of governors will then write back within five working days of receiving the letter to arrange a meeting to discuss the continuing concerns and why there is dissatisfaction with stage 1. This meeting should take place promptly. Again, the representor may be accompanied by a friend or representative of their trade union/professional association.
- The Co-Head/Chair of governors may then decide to investigate further and will need to decide what action to take. The representor will be updated with the outcome of the meeting within five working days.

Stage 3

- If the representor is dissatisfied with the outcome of stage 2, they may opt to take the matter to stage 3, by raising the matter externally within 10 working days of the date of the decision letter at stage 2, with any of the prescribed people or bodies recommended in the government publication 'Blowing the whistle to a prescribed person: a list of prescribed people and bodies' available from www.gov.uk.

In taking the concern outside the school, the representor should ensure that, as far as possible, the matter is raised without confidential information being divulged.

The representor is protected by law from dismissal, harassment, bullying or other detriment by their employer or other members of staff with whom they work. If this occurs, they have the right to take their case to an employment tribunal.

Monitoring and review

The Co-Heads will be responsible for monitoring the implementation and effectiveness of this policy. It will be reviewed by the governing body as part of the on-going review of all school policies.