

## BISHOP WORDSWORTH'S SCHOOL

### WHISTLEBLOWING POLICY

#### Notes:

1. *'Parent(s)' includes guardian(s) or any person who has parental responsibility for the pupil or who has care of them.*
2. *Is to', 'are to' and 'must' are obligatory. 'Should' is not obligatory but is best practice and is to be adhered to unless non-compliance can be justified.*

#### PREAMBLE

1. Bishop Wordsworth's School (the School) is to commit to the highest possible standards of openness, probity and accountability. In line with that commitment, employees and others (e.g. parents, pupils, volunteers, contractors and other outside agencies) with serious concerns about malpractice or wrongdoing in the School's work are encouraged to report those concerns without fear of victimisation.
2. Whatever the source the Governors will listen to the concerns, take them seriously and ensure that they are dealt with promptly and appropriately.
3. Those external to the School should raise any concerns they have about the way in which the School operates through the School's Complaints Procedure.
4. Employees are often the first to realise that there may be something seriously wrong with an organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation.
5. Employees should raise their concerns within the School by applying the approach described in this document, rather than overlooking a problem or blowing the whistle outside the organisation.

#### POLICY

6. All Governors and employees have a responsibility to carry out their duties to the highest standards of openness, probity and accountability and to come forward when they have serious concerns about malpractice or wrongdoing in the work of the School.
7. This Policy aims to:
  - a. Provide avenues for employees to raise concerns and receive feedback on any action taken.
  - b. Allow employees to take the matter further if they are dissatisfied with the School's response.
  - c. Reassure employees that they will be protected from reprisals of victimisation for whistleblowing in good faith.
8. There are existing procedures in place (eg grievance, harassment and bullying) which make provision for employees to lodge a concern relating to their own employment. This

whistleblowing policy is intended to complement those procedures by covering concerns that appear to fall outside their scope.

9. Governors with serious concerns about malpractice or wrongdoing are to contact the Chair of Governors.

10. Concerns about malpractice or wrongdoing may include:

- a. Any unlawful act, whether criminal or a breach of civil law, including corruption or fraud.
- b. Breach or failure to comply with the School's standing orders or policies.
- c. Breach or failure to comply with established standards or practice, including statutory codes or practice and standards promoted by professional bodies.
- d. Any form of improper conduct.
- e. Actions likely to cause physical danger to any person or to give rise to a risk of significant damage to property.
- f. Failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant, avoidable cost or loss of income to the School or would seriously prejudice the Governors or the School.
- g. Abuse of power or the use of the Governing Body's powers and authority for any unauthorised or ulterior purpose.

11. The above is not a comprehensive list but is intended to illustrate the range of issues, which might be raised under this policy.

12. The Governing Body provides guidance to employees on the standards it expects from its employees through the policies agreed by the Governing Body such as:

- Health and Safety Policy
- Equality Policy
- Harassment and Bullying Policies
- Staff Code of Conduct
- Security Policy.

and through the procedures, agreed with the relevant recognised trade unions and professional associations, for addressing poor standards which include:

- Staff Disciplinary Procedure
- Staff Grievance Procedure
- Capability Procedure.

## **HOW TO RAISE A CONCERN - GENERAL**

13. Employees should set out in writing the background and history of the concern, giving names, dates and places where possible and the reason why they are particularly concerned about the situation. If employees do not feel able to put their concern in writing the matter can be raised by telephone or by way of a meeting with the appropriate person. In any event, employees should try to make an immediate note of relevant details, eg what was said in a telephone or other conversation.

14. Employees are encouraged to express their concerns at the earliest opportunity. The earlier a concern is raised, the easier it is normally to take action. When raising a concern, employees must declare any personal interest they have in the matter.

15. Although employees are not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for a concern. However, they are not to attempt to investigate a concern or accuse individuals directly.

16. Employees should not discuss their concerns with anyone other than those referred to in paragraphs 17-22 below.

17. Employees may invite their trade union or professional association to raise the matter on their behalf.

## **HOW TO RAISE A CONCERN - MAIN STEPS**

18. As a first step an employee should normally raise concerns with their immediate manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if an employee believes that her/his immediate line manager is involved, the employee may approach:

- The Head or
- The Deputy Head or
- A Governor.

19. If these channels have been followed but the employee continues to have concerns or believes that those listed above are implicated then the employee may approach the Diocesan Board of Education.

20. Finally, if the employee still has concerns, the Education Funding Agency point of contact at the Department for Education may be approached (contact details from the Company Secretary).

21. If an employee believes that a concern has not been addressed within the School they are encouraged to approach the independent charity "Public Concern at Work" (Whistleblowing Advice Line Tel: 02074046609. Email Advice Line: [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk) Website: [www.pcaw.org.uk](http://www.pcaw.org.uk)) for free confidential advice. Additionally: the NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally or who feel that their genuine concerns are not being addressed. Staff may call: 0800 028 0285, line is available from 8:00 AM to 8:00 PM, Monday to Friday, or Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk). An employee considering action under this Paragraph is first to raise the concerns with one of the persons listed in Paragraph 18.

22. In some circumstances, confidential informal advice from a Wiltshire Education Personnel Officer or the employee's trade union or professional association may help an employee who is unsure of how best to pursue a concern about malpractice.

## **RESPONSE TO A CONCERN**

23. The action taken by the School will depend on the nature of the concern. The matters raised may:

- a. Be investigated internally.
- b. Be referred to the Police.

- c. Be referred to an external auditor.
- d. Form the subject of an independent enquiry.

24. In order to protect individuals and the School, initial enquiries are to be made to decide whether an investigation is appropriate and if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (eg child protection, discrimination issues or financial irregularities), will normally be referred for consideration under those procedures.

25. Some concerns may be resolved by action agreed between the employee raising the concern and the person to whom it is reported without the need for investigation.

26. The person with whom the concern is raised is to write personally to the employee who has raised the concern within 10 working days:

- a. Acknowledging that the concern has been received.
- b. Indicating how s/he proposes to deal with the matter.
- c. Giving an estimate of how long it will take to provide a response.

27. Employees raising a concern are to be informed of the final outcome of any investigation. However, it may not be possible to reveal the full details where this relates to personal issues involving a third party.

## **HARASSMENT OR VICTIMISATION**

28. The Governing Body recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal by those responsible for the malpractice. The Governing Body will not tolerate harassment or victimisation and will take action to protect employees when they raise concerns in good faith. This does not mean that if an employee is already the subject of procedures such as discipline, capability or redundancy, that those procedures will be halted as a result of a concern being raised under the provisions of this Policy.

29. If an employee makes an allegation in good faith but it is not confirmed by the investigation, no action is to be taken against the employee. If, however, an employee knowingly makes malicious and false allegations, disciplinary action may be taken against the employee.

30. Disciplinary action is to be taken against an employee if they try to stop another employee from raising a concern or if an employee is responsible for any act of recrimination against an employee who raises a concern.

31. Where an employee may have been party themselves to an act of possible gross misconduct on which they are now "blowing the whistle" this could be considered in mitigation. They are not, however, exempt from disciplinary action.

32. Disciplinary action may be taken against employees if they contact the media (newspapers, TV, radio etc) with concerns about conduct at work without first following the procedure of this Policy.

## **CONFIDENTIALITY**

33. The Governing Body will make every effort to protect employees' identities when they raise a concern and do not want their names to be disclosed. It must be appreciated, however, that

the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence.

34. All employees have a duty not to disclose or make public any professional or trade secret or confidential information they come across in their work. This Whistleblowing Policy does not affect the contract of employment or any confidentiality agreement.

### **ANONYMOUS ALLEGATIONS**

35. Employees are strongly encouraged to put their names to their allegations. Concerns expressed anonymously are much less powerful and are extremely difficult to investigate but they will be considered at the discretion of the Governing Body.

36. In exercising the discretion, the factors to be taken into account are to include:

- a. The seriousness of the issues raised.
- b. The credibility of the concern.
- c. The likelihood of confirming the allegation from attributable sources.

### **MONITORING**

37. All concerns raised under this Policy are to be recorded in strictest confidence together with the outcome in a register held by the Company Secretary. The purpose of this record is to ensure that a central record is kept which can be cross-referenced with other concerns raised in order to monitor any patterns and to assist in monitoring and reviewing the policy.

### **EVALUATION**

38. This Policy is to be reviewed annually.

### **CONSULTATION WITH TRADE UNIONS AND STAFF ASSOCIATIONS**

39. This Policy has been discussed with the relevant trade unions and professional organisations and has their support.

40. This Policy was adopted by Governors Staffing Committee on 20 October 1999 and reviewed and, as appropriate, amended on (dates in brackets indicate no change): 6.12.00, 24.10.01, 10.2.04, (8.2.05), (7.2.06), (6.3.07), (22.05.08), (7.07.09), (24.06.10), 13.06.11, 13.06.11, 14.06.12, 13.06.13, 12.06.14, 02.07.15, 28.06.16, 20.06.17, 26.06.18, 25.06.19