



THE DOWNS

MALVERN

"WHISTLEBLOWING" POLICY

Introduction

Employees are often the first to realise that there may be something seriously wrong within the school. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice. The school is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we encourage employees and others with serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis. This policy document makes it clear that employees can do something without fear of reprisals. This Whistle Blowing Policy is intended to encourage and enable employees to raise serious concerns **within** the school rather than overlooking a problem or blowing the whistle outside.

Aims and scope of this policy

This policy aims to:

- provide avenues for you to raise concerns and receive feedback on any action taken;
- allow you to take the matter further if you are dissatisfied with the school's response;
- reassure you that you will be protected from reprisals or victimisation for whistle blowing in good faith. Consideration will be given to redeployment if you request it.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment. This whistle blowing policy is intended to cover concerns that fall outside the scope of other procedures.

That concern may be about something that:

- is unlawful
- is against the School's Standing Orders, Financial Regulations or policies; or falls below established standards or practice; or amounts to improper conduct.

Safeguards

Harassment or Victimisation

The school recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The school will

not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith.

This does not mean that if you are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of your whistle blowing

Confidentiality

The school will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. It must be appreciated that the investigation process may reveal the source of the information and a statement by you may be required as part of the evidence.

Anonymous Allegations

This policy encourages you to put your name to your allegation. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the School.

In exercising the discretion, the factors to be taken into account would include:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

Untrue Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make allegations that are malicious or simply to cause anger, irritation or distress, disciplinary action may be taken against you.

How to raise concern

As a first step, you should normally raise the concerns with your immediate supervisor (Head or Deputy) or subject Coordinator. 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 you believe that management is involved, you should approach the Chair of Governors, Chair of finance or school's independent listener.

Concerns are better raised in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or meet the appropriate person. The earlier you express the concern, the easier it is to take action.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

Advice and guidance on how matters of concern may be pursued can be obtained from:

- Headmaster.
- Chair of Governors. .
- Chair of Finance committee
- Independent listener.

Alternatively you may wish to talk directly with someone from the IAPS who are the School's membership organisation and may be able to offer advice.

You may invite your trade union or professional association to raise a matter on your behalf.

How the School will respond

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

- Be investigated internally
- be referred to the Police
- be referred to IAPS or ISI
- form the subject of a complaints' inquiry

In order to protect individuals and the school, initial enquires will 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 will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation.

Within ten working days of a concern being received, the school will write to you:

- acknowledging that the concern has been received;
- indicating how it proposes to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- telling you whether any initial enquiries have been made; and telling you whether further investigations will take place, and if not, why not.
- The amount of contact between the persons considering the issues and you, will depend on the nature of the matters raised the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you.

When any meeting is arranged, you have the right, if you so wish, to be accompanied by a Trade Union or professional association representative or a friend who is not involved in the area of work to which the concern relates.

The school will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the school will advise you about the procedure.

The School accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcomes of any investigations.

How the matter can be taken further

This policy is intended to provide you with an avenue to raise concerns. The school hopes you will be satisfied. If you are not, you are always entitled to take the matter up with a member of the Board. In addition, if you feel it is right to take the matter outside the school, the following are possible contact points;

- relevant professional bodies or regulatory organisations
- your solicitor
- the Police

If you do take the matter outside the school, you need to ensure that you do not disclose confidential information or that disclosure would be privileged. Check with the contact point about that.

Alastair S Cook
Headmaster
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