



TOLWORTH GIRLS' SCHOOL & SIXTH FORM

WHISTLEBLOWING POLICY

In these guidelines, the term 'whistleblowing' means the confidential raising of problems or concerns within an organisation by a member of staff. The official name for whistleblowing is 'protected disclosure'. This is not 'leaking' information but refers to matters of impropriety, for example a breach of law, school procedures or ethics.

It is not appropriate for staff to blow the whistle about breaches of their own employment contract. Such matters would be dealt with under the School's Grievance Procedures.

Philosophy

The staff and governors of The Tolworth Girls' School & Sixth Form seek to run all aspects of school business and activity with full regard for high standards of conduct and integrity. If members of academy 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 appropriate internal procedures, e.g. 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 and have therefore developed a system which allows for the confidential raising of concerns within the academy environment but also has recourse to an external party outside the management structure of the academy.

Appropriate circumstances for whistle blowing

Individuals are encouraged to come forward with genuine concerns knowing they will be taken seriously. A whistleblower should ask themselves a few questions about their concern before taking action and if they answer 'yes' to any of the listed points below should follow the whistleblowing procedures:

- Do you believe it is in the public interest to take action?
- Is it a criminal offence?
- Is the environment damaged, or likely to be damaged?
- Is it, or do you believe it to be, illegal?
- Is it, or do you believe it to be, against codes of practice issued by the academy, the Local Authority, the Department for Education 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 whistleblower 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.

Examples of the kinds of activity or behaviour that might be raised by a whistleblower include:

- Manipulation of accounting records and finances
- Inappropriate use of academy assets or funds
- Decision making for personal gain
- Any criminal activity
- Damage to the environment of the academy, to property belonging to the academy or a member of the academy community
- Dangerous practices
- Child protection issues including sexual, emotional or physical abuse of students or others
- Abuse of position
- Fraud and deceit or corrupt practices
- Serious breaches of academy 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

Anonymous Allegations

Whistleblowers 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 whistleblower 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 Headteacher or 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 whistleblower 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 **either**:
Very serious, **or**

- The credibility of the allegation is considered to be high, **or**
- The likelihood of confirming the allegation is high

Whistleblowers are protected by law from dismissal, harassment, bullying or other detriment by the academy or other members of staff with whom you work. If this occurs, the whistleblower has the right to take their case to an employment tribunal.

Practice and Procedure

Stage 1

- As the first step, you should raise the matter with an appropriate level of line management, which would normally be your own line manager. Much depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. If you believe that your immediate manager(s) is involved, you should approach the Headteacher or Chair of Governors.
- Concerns may be raised orally or in writing, but 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, you make it clear that the issue is being raised under the whistle blowing policy.
- You will be asked to demonstrate to the person that you contact 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. You should date and sign this statement.
- If the allegation is made orally, you can invite a friend or representative of a trade union/professional association to be present. It is also permissible for a trade union or professional association representative to raise the matter on your behalf.
- If you wish to raise the concern confidentially, this must be made clear to the person who is initially contacted.
- If you have raised the issue orally, you will be asked to put your concerns into writing; which you should date and sign.
- You will be told 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, the Headteacher or to the Chair of Governors.
- Once the issue has been raised, you will be contacted within five working days by the Headteacher 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 you for the purposes of giving support.
- Notes will be taken of the details of the concern and you will be asked to sign a copy of these notes.
- Depending on the gravity of the allegation, the Headteacher/Chair of Governors 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 academy's disciplinary policy or even a matter for the police.
- An initial response will be given within five working days. You 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 sent to you.
- The line manager/Headteacher 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 Headteacher or governing body.

Stage 2

If you are dissatisfied with the academy's response, you can raise the matter within 10 working days of the date of the academy's response by writing to the Headteacher or Chair of Governors.

- The Headteacher/Chair of Governors will then write to you within five working days of receiving the letter to arrange a meeting to discuss the continuing concerns and why you are dissatisfied with stage 1. This meeting should take place promptly. Again, you may be accompanied by a friend or representative of your trade union/professional association.
- The Headteacher/Chair of Governors may then decide to investigate further and will need to decide what action to take. You will be updated with the outcome of the meeting within five working days.

Stage 3

If you are dissatisfied with the outcome of stage 2, you 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 following, as appropriate:

- The academy's external auditor
- The relevant professional bodies, regulatory organisations or a recognised trade union
- A solicitor
- The district auditor
- A county councillor or your local member of parliament
- The local government ombudsman
- The police
- Any of the prescribed people or bodies recommended in the Government Publication: 'Blowing the whistle to a prescribed person: a list of people and bodies' available from www.gov.uk

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

Monitoring and review

The Headteacher will be responsible for monitoring the implementation and effectiveness of this policy. It will be reviewed by the governing body as necessary.

This policy was approved by the Finance, Assets & Audit committee: July 2016

Next review: July 2017