

DULWICH HAMLET JUNIOR SCHOOL

WHISTLEBLOWING POLICY

Date Reviewed and agreed: Governing Body November 2010
Revised: October 2013
Approved: Governing Body October 2013
Date for review: October 2016

Dulwich Hamlet Education Trust Whistleblowing Policy and Procedure

Executive Summary

The Dulwich Hamlet Education Trust (DHET) is committed to achieving the highest possible standards of service and ethical standards in public life and it is important to us that you are not worried about raising concerns about something that is happening at work which you think could be unlawful conduct, financial malpractice, a concern for the welfare or safeguarding of a child or be dangerous to the public or the environment. Most of these concerns can be dealt with through existing procedures such as DHET's Grievance and Respect at Work Procedure and the Complaints Procedure. However there may be occasions when you will want to express concerns of a confidential nature outside of existing reporting structures and seek anonymity or at least some degree of confidentiality when doing so.

The Public Interest Disclosure Act 1998 came into force in July 1999. The purpose of this Act is to provide a framework for legal protection of individuals who disclose information which exposes malpractice or matters of similar concern. This policy seeks to implement and support these legal rights.

All concerns raised responsibly will be taken seriously, investigated and staff informed of the outcomes. All staff raising concerns under the policy will be protected from victimisation.

Introduction

If you have concerns about something that is happening at work which you think could be unlawful conduct, financial malpractice, a concern for the welfare or safeguarding of a child or be dangerous to the public or the environment, it is important that you know what you can do to bring it to the Trust's attention.

The Dulwich Hamlet Education Trust (DHET) is committed to achieving the highest possible standards of service and ethical standards in public life and it is important to us that you are not worried about raising such issues and do not feel that reporting them is either not your business or would be disloyal to colleagues, managers or to the organisation.

It is also important that if you decide to say something that you know the appropriate way to do it.

The Governing Body has adopted this Whistleblowing Policy and procedure in line with the Public Interest Disclosure Act 1998

<http://www.legislation.gov.uk/ukpga/1998/23/contents> to enable workers (see below) to raise issues of concern in an appropriate manner.

The term worker broadly includes employees, independent contractors, agency workers, trainees and a person who is or was subject to a contract to undertake work or services for the school.

This policy is primarily for concerns where the well being of others or of the organisation itself is at risk.

Aims of the policy

This policy aims to:

- Encourage you to feel confident in raising concerns
- Provide avenues for you to raise concerns and receive appropriate feedback
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- Reassure you that you will be protected from any reprisals or victimisation by DHET, if you have reasonable belief that the matter disclosed tends to show wrongdoing and you have made the disclosure in an appropriate manner and in good faith.

What to raise concerns about

The Public Interest Disclosure Act 1998 lists matters about which concerns can be raised and these are as follows:

- I. that a crime has been committed, is being committed, or is likely to be committed
 - Examples might be child abuse, the abuse of any other vulnerable clients, or theft
 - Fraud.

2. that a person has failed, is failing, or is likely to fail to comply with any legal obligation to which he is subject
 - Examples might be breach of contract, breach of statutory requirement or breach of any provision in the Constitution.
3. that a miscarriage of justice has occurred, is occurring, or is likely to occur,
4. that the health and safety of an individual has been, is being, or is likely to be endangered,
5. that the environment has been, is being or likely to be damaged,
6. that information tending to show any of 1 to 5 above has been concealed or is likely to be deliberately concealed.

Our assurances to you

DHET and The Core Leadership Team (CLT) are committed to this policy. If you make a disclosure on one or more of the matters listed above and you have a reasonable belief that your concern is real and you are acting in good faith, you will not suffer any detriment, even if after investigation it transpires that your concern is unfounded.

To protect your identity

We will not tolerate the harassment or victimisation of anyone raising a genuine concern. If such harassment or victimisation should occur, you should contact your union for advice regarding next steps and contact the Head Teacher and or Chair of Governors who will undertake to address the situation as they judge appropriate.

We recognise that you may nonetheless want to raise a concern in confidence. If you ask us to protect your identity, we will not disclose it without informing you. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed.

Remember that it is preferable to tell us who you are; it will be less difficult for us to look into the matter or to give you feedback if we know your identity. Accordingly, while we will consider anonymous reports, it will not be possible to apply all aspects of this policy for concerns raised anonymously.

How to raise a concern internally

Stage 1

If you have a concern about malpractice, we hope you will feel able to raise it first with a senior member of staff, the first port of call being the Head Teacher. This may be done orally or in writing.

Stage 2

If you feel unable for whatever reason to raise the matter with your Head Teacher under stage 1, please raise the matter with the Chair of Governors, or else the Convenor of The Personnel and Salaries Committee. This may be done orally or in writing.

When you raise the matter, please say if you are doing this in confidence. The person you contact can then make appropriate arrangements to investigate the matter.

Stage 3

If stage 1 and/or 2 have been followed and you still have concerns, or if you feel that the matter is such that you feel you cannot raise it with the Headteacher, for example because it concerns them, or it is very serious, please contact the Director of Education at Southwark Local Authority via the switchboard [020 7525 5000](tel:02075255000)

How to raise concerns about fraud

Disclosures concerning fraud should be made in the same way as outlined above.

Advice

If you are unsure whether to use this procedure or you want independent advice at any stage, you could contact your trade union or the independent charity Public Concern at Work on 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.

How we will handle the matter

Once you have raised a concern, the following steps will be taken:

- Look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation.
- Write to you summarising your concern and setting out how we propose to handle it and provide you with details of the officer handling the matter and how you can contact him or her. We will always write to you at your home address unless you tell us not to.
- The investigations will be conducted on a strictly confidential basis and the subject of the complaint will not be informed unless and until it becomes necessary.
- We will inform you of the outcome of our investigations and any proposed actions. However, please note that we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.
- Inform The Head Teacher/Chair of Governors that you have raised a concern under the Whistleblowing Policy and provide them with details of your complaint.
- The Head Teacher/Chair of Governors will keep a central record of all such complaints and where the complaint was not raised directly with them, keep a watchful eye on the progress of the investigation and of action taken.

External contacts

While we hope this policy gives you the reassurance you need to raise such matters internally, we would rather you raised a matter with the appropriate regulator than not at all. Provided you are acting in good faith and you have evidence to back up your concern, you can also contact, for example:

- Audit Commission whistleblowing hotline 0845 0522 646 (matters of fraud or corruption)
- Health and Safety Executive, Rose Court, 2 Southwark Bridge, London, SE1 9HS, 0845 345 0055
- Equality and Human Rights Commission, 3 More London, Riverside Tooley Street, London, SE1 2RG, 0845 604 6610
- Children's Society, Edward Rudolph House, 69 Margery Street WC1X 0JL 0845 300 1128
- Standards Board for England, Standards for England , Fourth Floor , Griffin House , 40 Lever Street, Manchester, M1 1BB, 0161 817 5300

If you do not feel able to raise your concern in the ways outlined above, you should consult the Public Interest Disclosure Act 1998 for information about other routes by which a disclosure may be made.

Record keeping

DHET will keep details of all concerns raised and the subsequent investigation will be retained for a minimum of 3 years. The purpose of this is to ensure that central record is kept which can be cross-referenced with other complaints in order to monitor any patterns of concern and to assist with monitoring the effectiveness of this policy. This information will be kept confidentially in a secure location.

Dissemination and implementation

This policy is made available to all staff by via the Staff Shared Drive.

Statistics in relation to all cases investigated under this policy will be reviewed by the Personnel and Salaries Committee every term to ensure effective implementation of this policy.

How to raise concerns about other matters

The Whistleblowing Policy is designed to sit alongside DHET's Grievance and Complaints Procedures. As a guideline, concerns, which should be raised through these routes, are as follows:

- employment related issues should be raised through DHET's Grievance and Respect at Work Procedure
- DHET's Complaints Procedure can be used for complaints about Governors.

**WHISTLEBLOWING POLICY
RESPONDING TO A MATTER OF CONCERN RAISED BY AN EMPLOYEE**

The Core Leadership Team (CLT) should ensure that employees are aware of the Whistleblowing Policy and know where it can be located.

If the CLT receive a disclosure in respect of any of the matters set out under the heading ‘What to Raise a Concern About’ in the Whistleblowing Policy they must take the following action:

- take the matter seriously and do not dismiss or belittle the information,
- respect as far as possible the confidentiality of the employee, and adhere to the policy under the heading “To protect your identity” where the employee has specifically asked for confidentiality
- ensure that the employee understands the Whistleblowing Policy
- acknowledge the concern in writing within 3 working days,
- discuss ways that the employee could be supported,
- investigate the concern objectively, dealing with all parties with sensitivity and tact,
- seek advice from DHET’s Personnel Provider,
- seek advice and involve other education managers if appropriate, set out clearly how the concern is to be taken forward,
- ensure that notes are made and kept of the process followed, notes of discussions etc.,
- keep informed the person raising the concern about the progress made and outcome of the investigation,
- If at the conclusion of the investigations, the Head Teacher is of the view that the concern was not raised in good faith, they should seek further advice from the Chair of Governors and or their Union.
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Equality Impact Assessment:

Review Cycle Indicate below whether the policy is due to be reviewed after 1, 2, or 3 years).	Priority for Equality Impact Assessment (Indicate below whether the policy is seen as High/Medium or Low priority)