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# The Whitby High School

A Specialist Technology College

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## WHISTLE BLOWING PROTOCOL

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# AIMS

*“Where there is no vision, the people perish”*

*Proverb 29 v18*

We seek to fulfil the needs of learners in a caring, happy environment, enabling them to realise their true potential as young people and citizens.

We aim to enable our learners to:-

**P**REPARE for adult life in a happy, caring and purposeful environment

**A**CHIEVE their full potential regardless of individual need

**C**ARE for everyone and encourage respect and tolerance

**E**NJOY education and rejoice in success

## **1.0 INTRODUCTION**

- 1.1. As an employee of the school you may, from time to time, witness practices that seem suspicious. However, you may be deterred from expressing your concerns because you fear harassment or victimisation. You may feel that it may be easier to ignore the concern rather than to report your suspicions.
- 1.2 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 without fear of reprisals. This policy document makes it clear that you can do so, without the fear of victimisation, subsequent discrimination or disadvantage.
- 1.3 These procedures are intended to encourage and enable you to raise serious concerns within the School rather than overlooking a problem or 'blowing the whistle' outside. Premature or unnecessary publicity may damage the School's reputation, impede proper investigations, or hurt individuals unnecessarily.

## **2.0 PURPOSE & SCOPE**

- 2.1 These procedures have been introduced to provide employees with a secure basis for reporting suspicions of impropriety, in the knowledge that the matter will be treated confidentially.
- 2.2 This policy covers the reporting of a malpractice, the information that will need to be recorded and the steps that need to be followed to ensure that you do not suffer any recriminations or victimisation.
- 2.3 These procedures are intended to supplement, rather than replace, existing School policies and procedures (for example the School's grievance procedures and the policies dealing with harassment) whereby employees of the School may already raise complaints or matters of genuine concern. They are therefore designed to provide for those instances where the person reporting the matter feels that, for any reason, they cannot make use of other procedures.
- 2.4 This policy has been designed to take into account Human Rights considerations.

## **3.0 LEGISLATION**

- 3.1 The Public Interest Disclosure Act 1998 has been introduced to protect employees who expose serious wrongdoing in the workplace. It applies where a malpractice is disclosed involving:
  - a crime or breach of regulatory, administrative and common law;
  - a miscarriage of justice;
  - danger to health and safety;
  - damage to the environment;
  - unauthorised use of public funds;
  - possible fraud and corruption; and
  - sexual, physical or financial abuse of clients
- 3.2 The Act protects you from victimisation where you reasonably believe the information, and are acting in good faith.
- 3.3 A disclosure is protected if you have an honest and reasonable suspicion that a malpractice has occurred, is occurring or is likely to occur. As an employee you can

raise the matter with your line manager who will refer it to one of the named below, or if you prefer direct to:

- Headteacher
- The Chair of Governors

A confidential record will be maintained by the Headteacher of all concerns raised (except if the complaint is against the Headteacher).

## **4.0 SAFEGUARDS**

### **Harassment OR Victimisation**

- 4.1 The School is committed to good practice and high standards, and wants to be supportive of employees.
- 4.2 The School recognises that the decision to report a concern can be a difficult one to make. It will not tolerate any harassment or victimisation and will protect you if you raised a concern in good faith.
- 4.3 If you happen to be involved in any disciplinary or redundancy procedures these will be kept separate from the investigation of your complaint.

### **Confidentiality**

- 4.4 The School will protect the confidentiality of all matters raised by concerned employees.

### **Anonymous Allegations**

- 4.5 This policy encourages you to put your name to your allegation whenever possible.
- 4.6 This is because concerns expressed anonymously are much less powerful than those raised by an identified individual. Anonymous allegations will, however, be considered at the discretion of the School.
- 4.7 In exercising this discretion the factors to be taken into account would include:
- the seriousness of the issues raised;
  - the credibility of the concern
  - the likelihood of confirming the allegation from attributable sources.

## **5.0 UNTRUE ALLEGATIONS**

- 5.1 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, as an employee you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

## **6.0 PROCEDURES**

### **Raising a Concern**

- 6.1 You can raise your concern orally, (i.e. face to face or over the phone) or in writing. If you write, mark the envelope 'personal, private and confidential' and if the concern is of a serious nature, hand deliver the envelope to the person you wish to report the matter to.
- 6.2 Whichever way you choose, please give as much information as you can.
- 6.3 You should include the following:
- background information;

- information as to why you are concerned;
- details of any other procedures which you have already used, and what happened;
- the names of the employee involved and where they work (if applicable);
- dates or periods of time relating to the matter;
- the names and jobs of any other employees who may support your concern.

- 6.4 The earlier you express your concern, the easier it will be to take action.
- 6.5 Although you will not be expected to prove beyond doubt the truth of an allegation, you will need to demonstrate that there are reasonable grounds for the concern.
- 6.6 You may find it easier to raise the matter jointly if there is another employee who has the same concern, and will support your allegation.
- 6.7 You would be advised to invite your trade union representative, or another person, to be present during any meetings or interviews in connection with the concern raised. In this case you can remain anonymous when the concern is first raised, but you may have to be involved personally if the matter goes further.

## **7.0 HOW THE SCHOOL WILL RESPOND**

- 7.1 One of those named in paragraphs 3.1.3 will firstly decide whether to carry out an investigation and determine which School procedure it is appropriate to use.
- 7.2 If it is decided that the matter should be taken further under Whistleblowing procedures, the concern raised will be:
- investigated by the Headteacher or Chair of Governors,
  - referred to the police;
  - considered to become the subject of an independent inquiry;

You may be interviewed by the person investigating the matter.

- 7.3 In order to protect individuals accused of a possible malpractice, enquiries will be made to decide whether an investigation is appropriate. Some concerns may be resolved by agreed action without the need for an investigation. If urgent action is required, this will take place before an investigation is undertaken.

## **What you will be Told**

- 7.4 The person to whom you have raised your concern will contact you in writing within 10 working days detailing the following:
- acknowledging that the concern has been received;
  - indicating how the School intends to deal with the matter;
  - giving an estimate of how long it will take to provide a final response;
  - detailing any initial enquiries that have been made; and
  - informing you whether further investigations will take place (and if not, why not).
- 75 The amount of contact you have with the people considering the matter will depend on the type of concern, the potential difficulties of the investigation and the availability of information. Wherever possible, you will be told the final outcome of any investigation.

## **8.0 IF YOU ARE NOT SATISFIED WITH THE SCHOOL' S RESPONSE**

8.1 This procedure is meant to give everyone an effective way to raise a concern within the school (and if possible resolve it internally). However, if you are still unhappy after using the procedure (and getting a final written response) you are entitled to consider taking your concern elsewhere. If you do this, these are some of the contacts that are available:

- Mr Heeley – Headteacher
- The Chair of Governors – Mr D Cooper, e-mail: [chair@whitbyhs.cheshire.sch.uk](mailto:chair@whitbyhs.cheshire.sch.uk)
- Vice Chair of Governors – Cllr A Claydon, e-mail: [Angela.Claydon@cheshirewestandchester.gov.uk](mailto:Angela.Claydon@cheshirewestandchester.gov.uk)
- Mrs Hibbert – Chair of Children and Community Committee, e-mail: [laura\\_hibbert26@hotmail.com](mailto:laura_hibbert26@hotmail.com)
- Councillor Claydon – Chair of the Teaching and Learning Committee, e-mail: [Angela.Claydon@cheshirewestandchester.gov.uk](mailto:Angela.Claydon@cheshirewestandchester.gov.uk)
- The Council's external auditors – 01244 976272
- UNISON Whistle blowing Hotline – 0800 597 9750
- Head of Legal and Democratic Services – Vanessa Whiting, Legal Services, 4<sup>th</sup> Floor, HQ tel: 01244 977802, or email [vanessa.whiting@cheshirewestandchester.gov.uk](mailto:vanessa.whiting@cheshirewestandchester.gov.uk)
- Fraud and Investigations Manager – Helen Peters, Audit and Risk Management, 1<sup>st</sup> Floor, HQ tel:01244 977375 or e-mail [helen.peters@cheshirewestandchester.gov.uk](mailto:helen.peters@cheshirewestandchester.gov.uk)
- Lead HR Business Partner for Schools – Janis Maloney, Business Partners, 1<sup>st</sup> Floor, HQ, tel:01244 972024 or email [janis.maloney@cheshirewestandchester.gov.uk](mailto:janis.maloney@cheshirewestandchester.gov.uk)
- Chief Executive – Steve Robinson, 4<sup>th</sup> Floor HQ tel: 01244 977454 or email [steve.robinson@cheshirewestandchester.gov.uk](mailto:steve.robinson@cheshirewestandchester.gov.uk)
- Audit Commission Whistleblowing – 0303 444 8346
- The independent charity Public Concern at Work – 0207 404 6609 or email [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk)
- Citizens Advice Bureau – see yellow pages for local number
- Ofsted 0300 123 4234
- Voluntary organisation – Barnardos Head Office 0208 550 8822
- The police