



Carshalton Boys Sports College

Policy	Whistleblowing
Policy Number:	FS08
Review Date:	September 2019
Approved by the Governing Body Committee:	
Next Review Date:	September 2021

Updates

Date	Reason	Mandatory
01.09.10	Converted to pdf	No
01.09.12	Revised	Yes
01.02.15	Updated to incorporate DFE guidance	Yes
01.09.17	Re-drafted and updated	Yes
01.09.19	Updated in line with AFH	Yes

1. INTRODUCTION

The staff and trustees of Carshalton Boys Sports College seek to run all aspects of school business and activity with full regard for high standards of conduct and integrity.

CBSC is 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 school environment but which also has recourse to an external party outside the management structure of the school.

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

In the event that members of staff, parents, governors or the community at large become aware of activities which give cause for concern, the school has established the following policy, or code of practice, which 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.

This policy has been introduced in line with the Public Interest Disclosure Act (PIDA) 1998 and The Enterprise and Regulatory Reform Act (ERRA) 2013. The school is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

This policy applies to matters of suspected fraud and impropriety and not matters of more general grievance which would be dealt with under the schools grievance procedures.

All staff are made aware of the whistle blowing process and how it will be managed, as outlined below, through regular briefings and through the staff handbook.

2. APPROPRIATE CIRCUMSTANCES FOR WHISTLEBLOWING

Individuals are encouraged to come forward with genuine concerns, knowing that they will be taken seriously. A whistle blower should ask themselves a few questions about their concern before taking action:

- Is it in the public interest?
- Is it, or do you believe it to be, illegal?
- Is it a criminal offence?
- Is the environment damaged or likely to be damaged?
- Is it, or do you believe it to be, against codes of practice issued by the school, the local authority (LA), the DFE 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 whistle blower witnessed the incident?
- Does it constitute the covering up of wrongdoing?
- Does it concern actions that negatively affect the welfare of children?

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge that they will be taken seriously. If individuals raise malicious unfounded concerns or attempts to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some form of penalty appropriate to the circumstances. The Principal will consider whether any disciplinary action is appropriate

against the individual who made it. The police may also be asked to consider whether any action might be appropriate against the person responsible

Examples of issues include:

- Child protection issues including sexual, emotional or physical abuse of pupils or others.
- Manipulation of accounting records and finances.
- Inappropriate use of school assets or funds.
- Gross mismanagement of funds.
- Decision making for personal gain.
- Any criminal activity.
- Damage to the environment of the school, to property belonging to the school or to a member of the school community.
- Dangerous practices.
- Abuse of position.
- Serious misuse or abuse of authority.
- A miscarriage of justice
- Fraud and deceit or corrupt practices.
- Serious breaches of school 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.
- A breach of any legal obligation.
- Suppressing information about anything listed above.

Whistle blowers are encouraged to put their name to an allegation. If confidentiality is requested, the Investigating Officer and/or 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 whistle blower 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 Investigating Officer and/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 whistle blower is asked to provide a signed statement as part of the evidence, thus revealing their identity.
- When the safeguarding of children is the issue.

Anonymous allegations will only be considered if the issues raised are:

- Very serious.
- The credibility of the allegation is considered to be high.
- The likelihood of confirming the allegation is high.

3. PROCEDURE

The school encourages the whistleblower to raise the matter internally in the first instance to allow those staff and governors in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

The school has designated a number of individuals to specifically deal with such matters and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter.

Name & Position Contact details

Mr S Barber - Principal (SBarber@carshaltonboys.org)
Mr A Forder - Community Governor (aforder@cbsc.co.uk)
Ms J Long - HR Manager & Clerk to the Full Governing Body (JLong@carshaltonboys.org)

The whistleblower may prefer to raise the matter in person (it is preferable for it to be in writing) or in written form (including E-Mail) marked private and confidential and addressed to one of the above named individuals.

In addition information and advice can be obtained from the charity Public Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows:

Public Concern at Work
3rd Floor, Bank Chambers
6 – 10 Borough High Street
London, SE1 9QQ

Telephone: 020 7404 6609

Website: www.pcaw.co.uk

4. ACTION

Stage 1

Once the issue has been raised, you will be contacted within five working days by the individual in receipt of the information or allegation (the Investigating Officer).

They will carry out a preliminary investigation whereby as a first step you will be asked to demonstrate to the person that you contact that there are sufficient grounds for concern. 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 will be asked to date and sign this statement. If you wish to raise the concern confidentially, this must be made clear to the person who is initially contacted.

Employees who want to use the procedure but feel uneasy about it may wish to consult their professional association/trade union initially and bring a colleague professional association/trade union representative along to any discussions. This is permitted as long as the third party is not involved in the issue.

Employees are not encouraged to make disclosures anonymously. Proper investigation may be more difficult or impossible if further information cannot be obtained from the employee. It is also more difficult to establish whether any allegations are credible. Employees who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed in section 3 of this policy and appropriate measures can be taken to preserve confidentiality although no guarantee can be given that this will always be possible

The Investigating Officer will then report to the Principal or Chair of Governors who will take the necessary action, including reporting the matter to any appropriate department or regulatory agency. It is at this point that it may become impossible to retain complete confidentiality, should the matter become an issue, for example for the school's disciplinary policy or even a matter for the police.

The Principal or Chair of Governors will 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 board

If disciplinary action is required this will be taken forward by the Principal/Chair of Governors/Governing body in consultation with the HR Manager. On conclusion of any investigation, the employee will be told the outcome of the investigation and what the next steps will be (subject to issues of confidentiality). If no action is to be taken the reason for this will be explained.

Stage 2

If you are dissatisfied with the school's response, you can raise the matter within 10 working days of the date of the school's response by writing to the Principal or Chair of governors. They 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. Again, you may be accompanied by a friend or representative of your trade union/professional association.

The Principal or 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 prescribed people or bodies recommended in the government publication 'Blowing the whistle to a prescribed person: a list of prescribed people and bodies' available from www.gov.uk.

4. ALLEGATIONS AGAINST THE PRINCIPAL

If the employee is concerned that the Principal is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigation, he/she should inform Chair of Governors.

Employees who feel unable to follow this route, for whatever reason, have the option of contacting one of the following:

- HM Revenue and Customs
- The Financial Services Authority
- The Office of Fair Trading
- The Health and Safety Executive
- The Environment Agency
- The Director of Public Prosecutions
- The Serious Fraud Office
- The Education Funding Agency
- The Department for Education

- The National College for Teaching and Leadership

5. What should be done if an issue is raised with a member of staff?

The Principal is responsible for monitoring the implementation and effectiveness of this policy. It will be reviewed by the governing board at agreed intervals.

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