

Whistle Blowing Policy at Hadrian School

1. INTRODUCTION

This Policy is intended to help employees who have major concerns over any wrongdoing within Hadrian School to know how to report unlawful conduct, financial mismanagement or dangers to the public or the environment. Specific examples include:

- a criminal offence (e.g. fraud, corruption or theft) that has been or is likely to be committed
- a miscarriage of justice that has occurred or is likely to occur
- the health or safety of any individual that has been or is likely to be endangered
- the environment has been or is likely to be damaged
- School/Company funds are being used in an unauthorised manner
- sexual or physical abuse of any member of staff or pupils
- discrimination to any member of staff or pupils on the grounds of sex, gender, age, ethnicity or religion
- any other form of improper action or conduct
- information relating to any of the above being deliberately concealed or attempts are being made to conceal the same.

Hadrian School has provided this Policy to enable you to know how to raise your concerns about such wrong doing(s) at an early stage and in the right way. Hadrian School would rather that you raised the matter when a concern has been identified, rather than wait until more serious developments have taken place.

If something is troubling you, which you think the Leadership Team should know about or look into, please use this policy for guidance. If, however, you are aggrieved about something that directly affects your working conditions, please use the Grievance Policy - which you can obtain from the School Office.

This Whistle Blowing Policy is primarily for concerns where the interests of others or of the school itself are at risk.

If in doubt - raise your concern

2. AIMS OF THE WHISTLE BLOWING POLICY

This Policy aims to:

- Encourage employees to feel confident in raising serious concerns and to question and act upon their concerns
- Provide ways for employees to raise those concerns and get feedback on any action taken as a result
- Ensure that employees get a response to their concerns
- Inform staff of how to pursue concerns if they are not satisfied with any actions
- Reassure employees that if they raise any concerns in good faith and reasonably believe them to be true, they will be protected from potential reprisals or victimisation.

It is not intended to be used where other more appropriate procedures are available, for example:

- Grievances - (see Grievance Procedure)
- Harassment - (see Bullying and Harassment Policy and Procedure)

3. WHO IS COVERED BY THE WHISTLE BLOWING POLICY?

All employees of Hadrian School including full-time, part-time and temporary staff. It also covers agency staff and staff affiliated with a third party. Any concerns relating to the third party, if relevant to the staff, can also be raised under this Policy.

Any Contractors working for Hadrian School may also use the provisions of this Policy to make Hadrian aware of any concerns that the contractor's staff may have with regard to any contractual or other arrangement with Hadrian School (e.g. building contractors, or coaches, etc. that may be carrying out work with the children). The private concerns of the contractor relating to Hadrian School business should be raised with a senior member of staff at Hadrian School or the police where appropriate.

4. WHAT ASSURANCE DO YOU GET?

If you do raise a concern under this Policy, you will not be at risk of losing your job or suffering any form of retribution as a result. We trust employees to forward any concerns under these three values:

- The disclosure is made in good faith
- You reasonably believe that information, and any allegations contained in it, are in your opinion substantially true
- You are not acting for personal gain.

Hadrian School will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, we recognise that you may nonetheless want to raise a concern in confidence under this Policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. 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 if you do not tell us who you are, it will be much more difficult for us to look into the matter or to protect your position or to give you feedback. Accordingly, while we will consider anonymous reports, this policy is not well suited to concerns raised anonymously.

5. WHAT IS THE LEGAL BACKGROUND?

The Public Interest Disclosure Act 1998 (hereinafter referred to as ‘the Whistle Blowers Act’) protects employees against detrimental treatment or dismissal as a result of any disclosure of normally confidential information in the interests of the public.

The Act only covers protected disclosures under six categories:

- Crime
- Illegality
- Miscarriage of justice
- Damage to health and safety
- Damage to the environment
- ‘Cover-ups’ about these issues.

To obtain protection employees must first disclose the information to their employer or to the Local Authority Human Resources Department.

6. HOW SHOULD AN EMPLOYEE RAISE A CONCERN?

As soon as you have a concern you should first raise the issue with a member of the Leadership Team at Hadrian School. It will be the responsibility of this person to take the matter forward. If you feel that this person does not take the necessary course of action you should approach the Head Teacher.

Concerns may be raised verbally or in writing. Employees who wish to make a written report should include the following information:

- The background and history of the concern (giving relevant dates)
- The reason why they are particularly concerned about the situation
- Signature and date.

7. HOW WILL HADRIAN SCHOOL RESPOND?

If the concern is raised verbally, the person receiving the information should put it in writing as soon as practicable to ensure that it properly reflects the concerns that have been raised. The employee must also indicate if the concern is to be treated in confidence. The limit of that confidence will be checked out by the person receiving the information. The relevant person and/or the Head Teacher will also ensure that the Governing Body are made aware of the concerns that have been raised, and if necessary Human Resources consulted for advice depending on the nature of the concern.

Once you have told us of your concern, we will look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation. We will tell you who may be handling the matter, how you can contact him/her and whether your further assistance may be needed. If you request it, we will write to you summarising your concern(s) and setting out how we propose to handle it.

When you raise the concern you may be asked how you think the concern(s) might best be resolved. If you have any personal interest in the matter, we do ask that you tell us at the outset. Should your concern fall within another policy (for example, the Grievance Policy), we will advise you.

While the purpose of this Policy is to enable us to investigate possible misconduct and take appropriate steps to deal with it, we will give you as much feedback as we properly can. If requested, we will confirm our response to you in writing. Please note, however, 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.

Concerns or allegations which fall within the scope of specific procedures (for example Safeguarding Children) will normally be referred for consideration under that relevant procedure/authority. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

Where appropriate, the matters raised may:

- Be investigated by the Leadership Team, internal audit, or through the disciplinary process
- Be referred to the external auditor
- Form the subject of an independent inquiry
- Be referred to the Police.

Usually, within two weeks of a concern being raised, the person looking into the concern will write to you:

- Acknowledging that the concern has been received
- Indicating how Hadrian School proposes to deal with the matter
- Giving an estimate of how long it will take to provide a full response
- Informing you whether any initial enquiries have been made
- Supplying information on support available to you whether you ask for it or not
- Advising whether further investigations will take place and if not, why not?

Subject to any legal constraints, the relevant employee will normally be informed of the final outcome of any investigation.

8. WHAT SAFEGUARDS ARE THERE FOR THE EMPLOYEE?

Hadrian School does not condone any harassment or victimisation (including informal pressures) and will take appropriate action to protect those who raise a concern in good faith.

- Any investigation into allegations of potential misconduct will not influence or be influenced by any disciplinary or redundancy procedures already taking place concerning the employee
- No action will be taken against anyone who makes an allegation in good faith, reasonably believing it to be true, even if the allegation is not subsequently confirmed by the investigation
- Every effort will be made to ensure confidentiality as far as this is reasonably practical
- Help will be provided to you in order to minimise any difficulties, which you may experience. This may include advice on giving evidence if needed. Meetings may, if necessary be arranged off-site with you and with you being represented, if you so wish.

9. HOW CAN A CONCERN BE TAKEN FURTHER?

If you are unsure whether to use this Policy or you want independent advice at any stage, you may contact the LA Human Resources Department who will be able to offer further advice.

Hadrian School's contact person is Ashleigh Simpson HR Services
Tel: 0191 2115230,
Email: Ashleigh.Simpson@newcastle.gov.uk

An employee who is not satisfied with the action taken by Hadrian School and feels it right to question the matter further, may consider the following possible contact points:

- A Union Representative
- Human Resources Department at Newcastle City Council
- Independent Legal Advice
- Report the concerns direct to the school Governing Body.

10. RECORDING & MONITORING ARRANGEMENTS

Hadrian School will ensure they have sufficient internal arrangements to address the requirements of this Policy and the Governing Body shall ensure that the Head Teacher and Leadership Team are sufficiently trained and developed to implement this Policy throughout Hadrian School.

Staff including:

- Leadership Team
- Teaching Staff
- Teaching and Learning Assistants
- Support Assistants
- Apprentices
- Admin Staff
- Lunchtime Supervisory Assistants
- Physiotherapists
- Occupational Therapists
- Speech and Language Therapists
- Nursing Staff
- Kitchen Staff
- Cleaners
- Any other staff involved at Hadrian School.

Staff will all be given a briefing on this policy and sign a declaration to say they understand it. The policy will also be available in the staff room in a hard copy format for reference.

The 'Head Teacher's Log' will be maintained by the Head Teacher and the Leadership Team. This log will record any concerns raised, the number of such concerns, what the concerns related to (if not confidential) and any actions taken.

The Business Manager will compile a report (*not giving confidential information out*) about the concerns raised, on an annual basis for the Governing Body.

Confirmation that the Whistle Blowing Policy in respect of Hadrian School has been discussed by the Governing Body:

Signed by:

Chair of Governors: _____ Date: _____

Head Teacher: _____ Date: _____

Agreed at the Governing Body Meeting on: _____

Minute Reference: _____