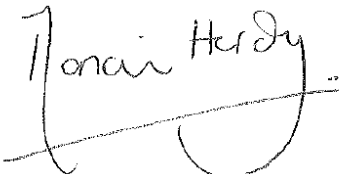


Drayton Green Primary School



Whistleblowing Policy

Committee with oversight for this policy – Full Governing Body	
Policy to be signed off by the Full Governing Body	
Policy last reviewed by Chair of Governors	July 2023
Policy last ratified and adopted by Full Governing Body	September 2023
Policy / Document due for review	In accordance with LA changes

Introduction

Drayton Green Primary is committed to delivering high quality education and to that end expects high standards from its employees, contractors and volunteers. In order to maintain those high standards a culture of openness and accountability is vitally important. The aims of this policy are threefold: -

- To encourage you to raise concerns about any malpractice within the School without fear of reprisal
- To reassure you that your concerns will be taken seriously;
- To provide information about how to raise your concerns and explain how the School will respond.

Scope of the Policy

This policy applies to all School employees, former employees, agency staff, volunteers and contractors engaged by the School or Ealing Council.

What is whistle blowing?

In practical terms, whistle blowing occurs when a concern is raised about danger or illegality that affects others, e.g. School staff, governors, pupils, members of the public or Ealing Council. As the person blowing the whistle, you would not usually be directly affected by the danger or illegality. Consequently you would rarely have a personal interest in the outcome of any investigation into your concerns. This is different from a complaint or grievance. If you make a complaint or lodge a grievance, you are saying that you personally have been poorly treated. This poor treatment could involve a breach of your individual rights or bullying and you are entitled to seek redress for yourself.

Blowing the Whistle on Malpractice

Malpractice covers a wide range of concerns. The types of activity that should be disclosed include but are not limited to the following:

- Fraud or corruption
- Financial maladministration
- Unauthorised use of public funds
- The physical, emotional or sexual abuse of pupils or adults
- Failure to comply with legal obligations
- Endangering of an individual's health and safety
- Damage to the environment A criminal offence
- Failure to follow financial and contract procedure rules
- Showing undue favour to a contractor or a job applicant
- Miscarriages of justice
- Deliberate concealment of information relating to any of the above

You should raise your concerns with the School's nominated person, who is currently Karen Doherty, as soon as you suspect malpractice. Remember that the earlier you raise concerns the easier it will be to take action. You (the whistleblower) are a witness to events, not a

complainant and so you do not need to wait for proof of malpractice before raising concerns. However it is always appropriate to raise concerns with the Chair of Governors if you so wish.

When reporting a concern you should provide as much information and detail as possible. In particular you should provide the full names of the people involved or who know about what is happening, including the names of members of staff or contractors, dates of events and any relevant documentation. This will help the investigator to focus their investigation on the main issues quickly.

There will be some cases where it is not appropriate for you to raise concerns to someone within the School, for example where you suspect the management team already knows about the malpractice and appears to be 'turning a blind eye', or where you suspect someone on the management team may be involved. In those cases, you should report your concerns to the London Borough of Ealing Director of Human Resources, the Head of Audit or the Head of Legal Services. The Council operates a 24-hour fraud hotline, tel: 0800 328 6453 (free call) where information can be left anonymously.

Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. You will be advised whether an investigation takes place or not. When making a decision the Council will consider whether continuing with an investigation is in the public interest.

Advice and Support

The School recognises that employees may wish to seek advice and support from their trade union before blowing the whistle. When any meeting or interview is arranged, you may wish to be accompanied by a trade union or professional association representative. Employees may also wish to seek advice from 'Public Concern at Work (PCAW)', an organisation which is entirely separate from the Council. PCAW have lawyers who provide confidential advice, free of charge, to people concerned about wrongdoing at work. They can be contacted by telephone on 020 7404 6609 or via e-mail on helpline@pcaw.co.uk

Confidentiality

The School understands that you may be reluctant to come forward with information about the wrongdoing of a colleague or manager or indeed at all. As such, the School recognises that whistleblowers may wish to raise concerns in confidence. If you (the whistleblower) make a request for the matter to be kept confidential then your identity will not be revealed without discussing the matter with you first.

Anonymous Allegations

You are encouraged to give your name when raising concerns. A concern expressed anonymously is much less powerful and is often more difficult to investigate. The decision whether to investigate an anonymous allegation will be made by the Council's Head of Legal Services in consultation with the Director of Human Resources. When making this decision they will take into account the seriousness of the issues raised, the credibility of what is being said and the likelihood of confirming the allegation from other sources.

Protection for the Whistle-blower

All concerns raised under this procedure will be treated seriously and a decision made about whether or not an investigation is appropriate. Depending upon the nature of the matter it may be referred to the external auditor or the police. The person to whom you reported your concern will be responsible for keeping you informed about the progress of the investigation and the action which has been taken, although you may not be told the outcome. In some cases the investigation may result in criminal or disciplinary proceedings. If this happens you may be invited to give a written statement or give evidence at a hearing. The School/ Ealing Council will support you in this process and ensure that you are clear about what will happen.

The Council will not tolerate harassment or victimisation and will take action to protect you if you have raised a concern in good faith. Any employee who is found to have victimised or harassed an employee who has raised a concern will face disciplinary action

Allegations not made in Good Faith

Concerns that are raised frivolously, maliciously, for personal gain or where they are known to be untrue may result in disciplinary action or, in the case of agency staff, the termination of the agency contract. In the case of contractors, the matter will be reported to the Council's relevant contract manager so that a decision can be made about the appropriate action to take.

Blowing the Whistle Outside Ealing Council

In certain circumstances it may be appropriate to raise concerns outside the Council to the appropriate 'prescribed regulator'. This should only be done where you are raising a genuine concern in good faith and where you believe the information is true, i.e. more than just suspicion. You are advised to discuss your concerns with a legal advisor, trade union or PCAW before reporting them outside the Council.

Examples of prescribed regulators are set out below:

- The Audit Commission
- The Standards Board for England
- Information Commissioner
- Environment Agency
- Health and Safety Executive
- Commissioner of the Inland Revenue
- General Social Care Council
- The Commission for Social Care Inspection
- National Care Standards Commission

As a last resort you may choose to raise your concern outside the Council to someone other than a prescribed regulator, e.g. to the police or your MP. You should only do this if, in addition to the conditions above, they meet one of three preconditions.

Provided the disclosure is reasonable in all the circumstances and is not made for personal gain, the preconditions are that you:

- Reasonably believed that you would be victimised if you raised the matter with the Council; or
- Reasonably believed that the matter would be 'covered up' and there is no prescribed regulator; or
- You have already raised the matter with the Council or with a prescribed regulator.

Complaints, Grievances and Members

This policy should not be confused with other policies that exist for dealing with complaints or grievances (see also paragraph 3). For example, complaints about the quality of service delivery should be addressed through the School's Complaints procedure. Employees who are aggrieved about their own employment situation should consider whether to use the Council's grievance procedure.