



Whistle Blowing Policy

Lead Person : Deputy Head
Governing Body Committee: Resources, Staff & Pay

PREAMBLE

1. The Crypt School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment employees and others with serious concerns about malpractice or wrongdoing in the School's work are encouraged to come forward and voice those concerns without fear of victimisation.
2. Whatever the source the Governors are committed to listening to the concerns, taking them seriously and ensuring that they are dealt with promptly and fairly.
3. Those external to the School are encouraged to raise any concerns they have about the way in which the School operates through the School's Complaints Procedure.
4. Employees are often the first to realise that there may be something seriously wrong with an organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation.
5. Employees are encouraged to raise their concerns within the School by applying the approach described in this document, rather than overlooking a problem or blowing the whistle outside the organisation.
6. Whistleblowing is the reporting of suspected wrongdoing or dangers in relation to our activities. This includes bribery, fraud or other criminal activity, miscarriages of justice, health and safety risks, damage to the environment and any breach of legal or professional obligations.

POLICY

7. All Governors and employees have a responsibility to carry out their duties to the highest standards of openness, probity and accountability and to come forward when they have serious concerns about malpractice or wrongdoing in the work of the School.
8. This policy aims to:
 - a) Provide avenues for employees to raise concerns and receive feedback on any action taken.
 - b) Allow employees to take the matter further if they are dissatisfied with the School's response.
 - c) Reassure employees that they will be protected from reprisals of victimisation for whistleblowing in good faith.
9. There are existing procedures in place which make provision for employees to lodge a concern relating to their own employment. This whistleblowing policy is intended to complement those procedures by covering concerns that appear to fall outside their scope.

10. Governors with serious concerns about malpractice or wrongdoing should contact the Chairman of Governors.
11. Concerns about malpractice or wrongdoing may include:
 - a. Any unlawful act, whether criminal or a breach of civil law, including corruption or fraud.
 - b. Breach or failure to comply with the School's standing orders or policies.
 - c. Breach or failure to comply with established standards or practice, including statutory codes of practice and standards promoted by professional bodies.
 - d. Any form of improper conduct.
 - e. Actions likely to cause physical danger to any person or to give rise to a risk of significant damage to property.
 - f. Failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant, avoidable cost or loss of income to the School or would seriously prejudice the Governors or the School.
 - g. Abuse of power or the use of the Governing Body's powers and authority for any unauthorised or ulterior purpose.
12. The above is not a comprehensive list but is intended to illustrate the range of issues, which might be raised under this policy.
13. This policy does not form part of any employee's contract of employment and it may be amended at any time.
14. The Governing Body provides guidance to employees on the standards it expects from its employees through the policies agreed by the Governing Body such as:
 - Health and Safety Policy
 - Equal Opportunities Policy
 - Harassment and Bullying Policies
 and through the procedures, agreed with the relevant recognised trade unions and professional associations, for addressing poor standards which include:
 - Disciplinary Procedure
 - Grievance Procedure
 - Capability Procedure.

HOW TO RAISE A CONCERN – GENERAL

15. Employees are encouraged to set out in writing the background and history of the concern, giving names, dates and places where possible and the reason why they are particularly concerned about the situation. If employees do not feel able to put their concern in writing the matter can be raised by telephone or by way of a meeting with the appropriate person. In any event, employees should try to make an immediate note of relevant details, e.g. what was said in a telephone or other conversation.
16. Employees are encouraged to express their concerns at the earliest opportunity. The earlier a concern is raised, the easier it is normally to take action. When raising a concern employees must declare any personal interest they have in the matter.
17. Although employees are not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for a concern. However, they should not attempt to investigate a concern or accuse individuals directly.

18. Employees are encouraged to discuss their concerns with those referred to in paragraphs 19-21 below.

HOW TO RAISE A CONCERN - MAIN STEPS

19. As a first step an employee should normally raise concerns with her/his immediate line manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if an employee believes that her/his immediate line manager is involved, the employee should approach:

- The Headmaster or
- The Deputy Headmaster or
- The Chairman of Governors.

20. In the event that an employee believes that her/his concern has not been addressed within the School s/he is encouraged to approach the independent charity "Public Concern at Work" (tel: 020 7404 6609) for free confidential advice. (Where an employee is considering action under this paragraph s/he should ensure that her/his concerns have first been raised with one of the persons listed in paragraph 19.

21. In some circumstances, confidential informal advice from a Gloucestershire Education Personnel Officer or the employee's trade union or professional association may help an employee who is unsure of how best to pursue a concern about malpractice.

22. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing. In most cases you should not find it necessary to alert anyone externally. However, the law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external. Public Concern at Work operates a confidential helpline. Their contact details are given in paragraph 20 above.

HOW THE SCHOOL WILL RESPOND

23. The action taken by the School will depend on the nature of the concern. The matters raised may:

- be investigated internally;
- be referred to the Police;
- be referred to an external auditor;
- form the subject of an independent enquiry.

24. In order to protect individuals and the School, initial enquiries will be made to decide whether an investigation is appropriate and if so, what form it should take. Concerns or allegations, which fall within the scope of specific procedures (e.g. child protection or discrimination issues or financial irregularities), will normally be referred for consideration under those procedures. Employees raising a concern may be required to attend additional meetings in order to provide further information.

25. Some concerns may be resolved by action agreed between the employee raising the concern and the person to whom it is reported without the need for investigation.

26. The person with whom the concern is raised will write personally to the employee who has raised the concern within 10 working days:

- acknowledging that the concern has been received;
- indicating how s/he proposes to deal with the matter;
- giving an estimate of how long it will take to provide a response.

27. Employees raising a concern will be informed of the final outcome of any investigation. In some circumstances, however, it may not be possible to reveal the full details where this relates to personal issues involving a third party.
28. While the School cannot always guarantee the outcome you are seeking, it will try to deal with your concern fairly and in an appropriate way. By using this policy employees can help to achieve this. If an employee raising a concern is not happy with the way in which their concern has been handled they can raise it with the Chair of Governors.

HARASSMENT OR VICTIMISATION

29. The Governing Body recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal by those responsible for the malpractice. The Governing Body will not tolerate harassment or victimisation and will take action to protect employees when they raise genuine concerns. If an employee believes that they have suffered such treatment they should inform the Chair or vice Chair of Governors.
30. This does not mean that if an employee is already the subject of procedures such as discipline, capability or redundancy, that those procedures will be halted as a result of a concern being raised under the provisions of this policy.
31. If an employee makes an allegation in good faith but it is not confirmed by the investigation, no action will be taken against the employee. If, however, an employee knowingly makes malicious and false allegations or allegations with a view to personal gain, disciplinary action may be taken against the employee.
32. Disciplinary action will be taken against an employee if s/he tries to stop another employee from raising a concern or if an employee is responsible for any act of recrimination against an employee who raises a concern.
33. Where an employee may have been party themselves to an act of possible gross misconduct on which they are now "blowing the whistle" this could be considered in mitigation. They are not, however, exempt from disciplinary action.

CONFIDENTIALITY

34. The Governing Body hope that staff will feel able to voice whistleblowing concerns openly under this policy. The Governing Body will make every effort to protect an employee's identity when s/he raises a concern and does not want her/his name to be disclosed. It must be appreciated, however, the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence.

ANONYMOUS ALLEGATIONS

35. Employees are strongly encouraged to put their names to their allegations. Concerns expressed anonymously are much less powerful and are extremely difficult to investigate but they will be considered at the discretion of the Governing Body.
36. In exercising the discretion, the factors to be taken into account will include:
 - the seriousness of the issues raised;
 - the credibility of the concern, and
 - the likelihood of confirming the allegation from attributable sources.

MONITORING

37. All concerns raised under this policy will be recorded in strictest confidence together with the outcome in a register held by the Clerk to the Governors. The purpose of this record is to ensure

that a central record is kept which can be cross-referenced with other concerns raised in order to monitor any patterns and to assist in monitoring and reviewing the policy.

EVALUATION

38. This policy will be kept under review and as a result, may be subject to amendment.

CONSULTATION WITH TRADE UNIONS AND STAFF ASSOCIATIONS

39. This policy has been discussed with the relevant trade unions and professional organisations and has their support.

Reviewed – June 2011 – no major changes made.

Approved – Full Governors – June 2011

Reviewed – June 2014 – some minor changes made

Approved – Full Governors – June 2014

Reviewed – June 2017

Approved – Full Governors July 2017

Next review – June 2020