

Royal Alexandra & Albert School



Whistleblowing Policy

**This policy has been updated by Peter Dawson, Bursar
It was approved by Staff Matters committee 9 February 2021.
It is next due for review Spring 2024.**

1. Introduction & Purpose of Policy

Royal Alexandra & Albert School is committed to the highest possible standards of honesty, openness, probity and accountability. It seeks to conduct its affairs in a responsible manner, to ensure that all its activities are openly and effectively managed, and that the School's integrity and the principles of public interest disclosure are sustained.

In line with that commitment, all members of staff and those working on behalf of the School who have serious concerns about any aspect of the School's work are encouraged to come forward and voice those concerns to their immediate manager and/or the Headteacher. Employees are often the first to realise that there may be something seriously wrong within the School. However, staff may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School. They may also fear harassment or victimisation. Staff members not only have the right but also a duty to report any improper actions or omissions, particularly where the welfare of young people may be at risk.

Royal Alexandra & Albert School also recognises and appreciates that employees who raise concerns regarding malpractice or wrongdoing are an asset to the School, and not a threat.

Where any member of staff decides to report a serious incident within the scope of this policy, whether anonymously or otherwise, this will be treated as a 'protected' disclosure. Staff members should feel reassured that they can raise concerns in accordance with this policy without fear of victimisation, subsequent discrimination or disadvantage. All staff members employed in schools maintained by Surrey County Council have access to an external, independent and confidential service provided by NAVEX Global/Expolink (see below for contact details).

This policy aims to:

- Encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice;
- Provide avenues to raise those concerns and receive feedback on any action taken;
- Ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied;
- Reassure staff that they will be protected from possible reprisals or victimisation if they have made any disclosure in good faith.

The Governing Body is mindful of its obligations under the Equality Act 2010 and this policy will be applied fairly and consistently to all staff employed at the school as well as those carrying out work for the School, for example, governors, volunteers, agency workers, contractors or consultants. The term 'member(s) of staff' is used in this document for simplicity but is intended to include this broader range of individuals

covered by this policy. Copies of this policy, which incorporates the key aspects of Surrey County Council's ("the Council") whistleblowing policy, are available to all members of staff from the School Office, the Foundation Office and the School's website.

2. Scope of the Policy

There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. The whistleblowing policy is intended to cover serious concerns that may fall outside the scope of other procedures, in accordance with the Public Interest Disclosure Act 1998. These include:

- Conduct which is an offence or a breach of law
- Failure to comply with a legal obligation
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public or pupils as well as other staff
- Damage to the environment
- Information relating to the above issues that has been, or is likely to be, deliberately concealed.

Examples of the above categories are likely to include:

- The unauthorised use or misuse of public funds
- Possible fraud and corruption
- Sexual, physical or psychological abuse of pupils at the school
- Harassment & bullying of staff
- Breaches of codes of conduct
- Malpractice in examinations and assessments.

Therefore, any serious concerns that a member of staff has about any aspect of the School's service provision or the conduct of staff or others connected with the School can be reported under this whistleblowing policy where that member of staff has a reasonable belief in the validity of those concerns and they relate to one of the specified areas set out above.

A member of staff who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

3. Key Points About Raising Concerns

3.1 Safeguarding Against Harassment or Victimisation

The School is committed to good practice and high standards and wants to be supportive of employees. It is recognised that the decision to

report a concern can be a difficult one to make. If a member of staff has a reasonable belief that what they are saying is true they have nothing to fear because they will be doing their duty to their employer and pupils of the School.

The School will take a zero tolerance approach to any act of harassment or victimisation (including informal pressures) resulting from a member of staff raising a concern in good faith, and will handle any such allegations in accordance with the appropriate procedure against the person or persons responsible for the reported acts, provided the member of staff:

- Discloses the information in good faith
- Believes the concern to be true
- Does not act maliciously or make false allegations
- Does not seek any personal gain, and
- Provided the allegations relate to one of the categories covered by the scope of the policy and referred to above

3.2 Unsubstantiated Allegations

If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken.

3.3 Confidentiality

All concerns will be treated in confidence but, at the appropriate time, the whistle blower may be asked to come forward as a witness and this will be discussed with him/her.

3.4 Anonymous Allegations

This policy encourages staff to put their name to their allegation wherever possible.

Where a concern is raised via the external confidential NAVEX Global/Expolink service (see below for contact details), there is provision to provide NAVEX Global/Expolink name and contact details which will not be passed to the School without express permission from the individual. This enables NAVEX Global/Expolink to ask for further information on the concern, if required.

The School will take all concerns raised seriously. Where relevant to the nature of the complaint, allegations will also be referred to officers of the Surrey County Council and/or to the Surrey County Council's Internal Audit Team for further investigation. Concerns expressed anonymously are much less powerful but will still be given consideration at the discretion of the Governing Body. In exercising this discretion, the

Governing Body would consider the seriousness of the issues raised, the credibility of the concern and the likelihood of confirming the allegation from sources which can be attributed.

4. How to Raise a Concern

There are three ways in which to raise a concern:

- 4.1 As a first step, a member of staff should normally raise concerns with his/her immediate line manager, the Headteacher, the Chair of the Governing Body or the School's Designated Safeguarding Lead (DSL) where this is appropriate to the nature of the concern. If the concerns relate to allegations that a member of staff or volunteer may have harmed a child or behaved in a way that indicates he/she poses a risk of harm to children, the allegation should be raised with the Headteacher in the first instance, in accordance with the school's child protection and safeguarding policy. Where the allegations involve the Headteacher, the member of staff should raise the matter with the Chair of the Governing Body or, should the whistleblower feel the need to involve a person external to the school, his/her trade union/professional association or the Area Schools Officer (ASO), who will refer allegations to other officers of the Surrey County Council as relevant to the nature of the concerns.
- 4.2 While the School encourages members of staff to raise their concerns internally, the School also recognises that some staff may feel unable to do this and that they may therefore wish to contact an independent, external organisation, such as NAVEX Global/Expolink, to report the concern (for contact details, see below). NAVEX Global/Expolink will be responsible for ensuring that concerns are referred on to the appropriate personnel at the Local Authority who will, in turn, contact the school. Where financial impropriety has been alleged, information will be referred to the Local Authority's Internal Audit Team.

NAVEX Global/Expolink is an external and independent organisation, which specialises in providing a confidential hotline service for whistle blowing and can be contacted any time, night or day, in complete confidence with any relevant concerns. The call will not be traced or monitored. Freephone 0800 069 8180.

- 4.3 A third option for employees who wish to raise concerns is to contact the Protect/Public Concern at Work helpline 020 7404 6609. This helpline offers independent and confidential advice to workers who are unsure whether or how to raise a public interest concern.

Concerns may be raised verbally or in writing, but the earlier the concern is expressed the easier it is to take any required action. Where a concern is raised, that person is not expected to prove that an allegation is true, only to have sufficient grounds for concern. Members of staff

who wish to make a written report are encouraged to include the following information:

- The background and history of the concern, giving relevant dates and providing as much supporting evidence as possible;
- The reason(s) why they are particularly concerned about the situation.

Where a concern is raised verbally, the person hearing it must ensure that a written account of it is made to assist with any subsequent investigation. School management will take all concerns raised within the scope of this policy seriously and identify the appropriate level of investigation. Advice and guidance will be obtained as necessary from the School's HR Consultant at Strictly Education 4S.

The whistleblower may invite a recognised trade union representative or a work colleague to be present during any meetings or interviews held in connection with the concerns raised.

5. How the School Will Respond

The School will investigate and respond to all concerns raised by employees or service users through any channels including Navex Global.

5.1 Initial Enquiry

In order to protect the individuals involved, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take and who should be appointed to conduct it. The overriding principle is that of the public interest. If urgent action is required, for example if the welfare of pupils may be at risk, this action will be taken before any investigation is conducted. The purpose of the initial inquiry is to ascertain if the conduct or behaviour involves a member of staff. Further to the results of this enquiry, the following steps will be considered:

- Concerns or allegations which fall within the scope of specific procedures, e.g. child protection or discrimination issues, will normally be referred for investigation and consideration under those procedures.
- Where there is any financial impropriety the concern should be referred to the Governing Body, before taking any other action.
- Ensure that matters of a criminal nature are reported to the Police, after consultation with Internal Audit.

- Whether the disciplinary or other relevant management policies, procedures and processes of the School need to be applied.
- Appointment of an officer to carry out the investigation under these procedures.

5.2 Communication

Within ten working days of a concern being raised, the person who is dealing with the concern will respond in writing either to the employee directly or to NAVEX Global/Expolink where this was the reporting route. The response will:

- Acknowledge receipt of the concern
- Supply information on any staff support mechanisms (e.g. EAP), and
- Advise whether further investigation or action is required, and if not, why not.

A further update will also be provided 28 days after the report was received, advising of additional progress made and the estimated date a final response will be available.

If the whistleblower has chosen to remain anonymous and non-contactable, they need to contact NAVEX Global/Expolink or their original route in order to receive updates.

5.3 Investigation

Once preliminary enquiries have established the need for an investigation, an appropriate person will be appointed to conduct the investigation (section 5.1). The person appointed to undertake the investigation is responsible for establishing the facts of the matter, as far as it is reasonably possible to do so, and assessing whether the concern has foundation and can be resolved internally. Other people may need to be interviewed to provide further information and/or clarification concerning the issue(s) raised.

Written records of all interviews will be kept throughout the investigation together with details of any action taken. The investigation will result in a written report and recommendations for corrective action, which will be passed to the Headteacher and/or the Chair of the Governing Body, as appropriate to the concerns under consideration, to determine whether formal action shall be taken.

Where any meeting is arranged involving an individual member of staff, which can be off-site, a recognised Trade Union representative or a work colleague may also attend. The School will take steps to minimise any

difficulties which may be experienced as a result of raising a concern. For instance, if a member of staff is required to give evidence in criminal or disciplinary proceedings, where considered appropriate, the School will arrange for them to receive appropriate procedural and/or legal advice.

The member of staff raising the concern will, subject to legal constraints, be advised in writing of the outcome of the investigation and, where appropriate, what action is being taken. This may, for example, include changes to working practices to ensure that a similar situation does not occur again. Where the concern was raised via NAVEX Global/Expolink, the employee will be invited to contact the service for feedback at the appropriate time.

6. Taking the Matter Further

This policy is intended to provide members of staff with an avenue to raise concerns internally. If the member of staff feels that it is right to take the matter outside the School, contact can be made with a recognised trade union, local Citizens Advice Bureau, relevant voluntary or independent organisation or legal advisor. The Public Interest Disclosure Act also sets out a number of bodies to which protected disclosures can be made, including HM Revenue & Customs, the FSA, the Health and Safety Executive and the Serious Fraud Office. Employees should be aware that going directly to the press may limit their protection under the Public Interest Disclosure Act and they could therefore be subject to disciplinary action. An employee considering such a course of action is strongly advised to seek prior advice from their trade union or an independent organisation such as Protect/ Public Concern at Work (www.protect-advice.org.uk)

7. Monitoring & Reporting

The Governing Body of the School is responsible for overseeing the operation of this policy and the Head of HR is responsible for ensuring that appropriate records are maintained regarding concerns raised and the outcomes. The Head of HR is also responsible for reporting concerns raised and outcomes (but in a form which does not compromise confidentiality) to officers at Surrey County Council and to other external bodies as appropriate to the circumstances.

The Head of HR will ensure that whistle blowing procedures are defined, documented, widely circulated and reviewed at appropriate levels, in consultation with a monitoring officer.

The practical aspects of monitoring are to assess whether:

- The policy is being used appropriately
- Concerns are being handled and investigated properly

- There are any discernible patterns of concern across the School
- The policy has been effective in identifying and deterring malpractice, and
- Whether more needs to be done to raise awareness of the policy.

Additional Contact Details:

Designated Safeguarding Lead:

Joe Gale

Deputy Safeguarding Leads:

**Simon King, Gary Bendall, Justine
Stafford and John Stafford**

Surrey County Council's Internal Audit Team

Telephone: 03456 009009

Email: internal.audit@surreycc.gov.uk

Surrey Schools Helpdesk

services.forschools@surreycc.gov.uk

01372 832060 / 07794 334102

NAVEX Global/Expolink

Freephone 0800 374199

NAVEX Global (previously Expolink) is an external and independent organisation which provides a confidential hotline service for whistle blowing. NAVEX Global can be contacted any time, night or day, in complete confidence with any relevant concerns. The call will not be traced or monitored.

Local Government & Social Care Ombudsman

0300 061 0614

Ofsted

whistleblowing@ofsted.gov.uk