



WHISTLE BLOWING POLICY

Reviewed Autumn 2015

Updated January 2016 for further ratification

Ratified November 2016

Scope of Policy

This policy is designed by the governors to enable employees or other members of the School to raise concerns or disclose information at a higher level which the individual believes shows malpractice.

A number of policies and procedures are already in place including grievance, discipline, complaints and guidelines for dealing with harassment. This policy is intended to cover concerns which are in the public interest and may (at least initially) be investigated separately but might then lead to the using of such procedures.

Purpose

The governors are committed to the highest standards of openness, probity and accountability. In line with this commitment, the school encourages staff with serious concerns about the school's work to come forward and voice those concerns. This also applies to concerns about the activities of staff, governors and external organisations in their dealings with the school.

Members of staff may be the first to spot anything that is seriously wrong within the school or within the CAST itself. However, they might not say anything because they think this would be disloyal, or they might be worried that their suspicions are not justified. They may also be worried that they or someone else may be victimised. Members of the public (for example, parents of students) may also share some of these concerns.

The governors are committed to being open, honest and accountable and this policy aims to make sure that if you want to raise any concern, you can do so with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

What types of action are covered by the policy?

The policy is intended to deal with serious or sensitive concerns about wrongdoings such as the following.

- Fraud and corruption
- Children or students being mistreated
- Unauthorised use of public money
- An unlawful act
- Any danger to health and safety
- The environment being damaged (for example, by pollution)
- A person abusing their position or any unauthorised use of their position for personal gain
- A person deliberately not keeping to a Council policy, an official code of practice, any law or regulation, or any procedures agreed by the local authority or governing body
- A person failing to meet appropriate professional standards
- A person being discriminated against because of their race, colour, religion, ethnic or national origin, disability, age, sex, sexuality, class or home life

To whom does this policy apply?

This policy applies to all staff working in the school as well as contractors working on school premises (for example, agency staff, builders and drivers). It also covers suppliers and people who provide services to the school.

These procedures build upon the governors' complaints procedure and other reporting procedures. The Head teacher and other senior managers are responsible for making all relevant people aware of these procedures.

What is not covered?

You cannot use this policy to deal with serious or sensitive matters that are covered by other procedures. Such procedures include the following.

- Staff's complaints about their employment. These complaints are dealt with through our Grievance Procedure.
- Customers' complaints about the school's or CAST services. These complaints are dealt with through the Complaints Procedure.

Protecting you

If your allegation is true, you have nothing to fear, but the governors and the CAST understands that deciding to blow the whistle is not easy. If you raise a concern which you believe is true, appropriate action will be taken under the Public Interest Disclosure Act 1998 to protect you from any harassment, victimisation or bullying.

Your concerns will be kept confidential if this is what you want. In this case your name or position will not be revealed without your permission unless this is required by law. This will be explained to you at the time you raise a concern so you can decide whether or not to proceed.

You should also know that any allegation you make will not influence, or be influenced by, any unrelated disciplinary action against you or any redundancy procedures that may affect you.

Anonymous allegations

Because you will be protected (as explained above), you are encouraged to give your name when you make an allegation. Concerns raised anonymously tend to be far less effective and if, for example there is not enough information, it may not be able to investigate the matter at all.

Untrue allegations

If you make an allegation which you believe is true, but it is not confirmed by our investigation, no action will be taken against you. However, if you make an allegation which you know is untrue, appropriate disciplinary or legal action will be taken against you.

How to raise a concern

You should first raise your concern, in writing, with your immediate line manager, your Headteacher, the Chair of Governors or a member of the senior management team. (This will depend on the seriousness and sensitivity of the matter and who is suspected of the wrongdoing.) All allegations will be treated in strictest confidence. You must not discuss these allegations with anyone else. If the relevant manager cannot deal with the matter, he or she will refer the concern to the Head of Human Resources at CAST.

You can also raise your concerns in the following ways.

- By writing to
Richard Thorns
HR Manager
CAST
St Boniface House
Ashburton
Newton Abbot
Devon
TQ13 7JL
Write 'Private and confidential' on your envelope.

Help for you

Your trade union representative can give you general support and advice, or act for you if this would help. Trade unions will be encouraged to support any member of staff who raises a concern with them.

How the governors or the CAST will respond to your concerns

The way the governors or the CAST deal with your concerns will depend on what it involves.

They will first make enquiries to decide whether they should carry out an investigation and, if so, how they should go about it. Throughout all the enquiries and any investigation, their main concern will be to put the interests of the child(ren) first.

Your concern may be investigated by governors, the CAST, internal auditors, or through the disciplinary process. The matter could be referred to:

- the police;
- other agencies (for example, if it involves the abuse of children or vulnerable adults it may be referred to the Executive Director of Health and Social Care);
- the CAST's external auditor; or
- an independent investigator.

If your concern or allegation can be handled under any other procedure or policy, it will be passed on to the relevant person and you will be informed. It may be able to settle some concerns without carrying out an investigation but by taking action agreed by you. If necessary urgent action will be taken before any investigation is carried out.

Within 10 working days of you raising a concern, the person dealing with the matter will:

- acknowledge that your concern has been received;
- explain how the matter will be handled; and
- tell you what support is available to you.

It is difficult to set further timescales as they depend on the nature of the allegation and the type of investigation that needs to be carried out. The amount of contact you have with the investigator will depend on the nature of your concern, the potential difficulties involved, and the clarity of the information given.

If you need to have a meeting, you can be accompanied by a friend or a representative from a trade union or professional association. Meetings with the person investigating the matter will normally take place in his or her office

but can be arranged elsewhere, but not in your home unless there are exceptional circumstances.

Steps will be taken to reduce any difficulties you may experience as a result of raising a concern. For instance, if you need to give evidence in criminal or disciplinary proceedings, arrangements will be made for you to get advice on the procedure.

You will be given feedback on the progress and outcome of any investigation. Details of any concerns raised will be kept confidential by the LA or the governors (unless they are found to be malicious and lead to disciplinary procedures) but will not be placed on your personal file.

How you can take a matter further?

It is hoped that you will be satisfied with any action taken. If you are not, and you want to take the matter outside either the school or the CAST, you could contact:

- the Chair of Governors who will convene the appropriate committee;
- our external auditor;
- the Audit Commission;
- your local Citizens' Advice Bureau;
- relevant professional bodies or regulatory organisations;
- a relevant voluntary organisation; or
- the police.

If you take the matter outside the CAST, take care not to reveal any confidential information.

Independent advice

You can get independent advice or support from an organisation called Public Concern at Work. Their address is:

Suite 306
16 Baldwin Gardens
London
EC1N 7RJ.
Phone: 020 7404 6609
E-mail: whistle@pcaw.co.uk