

## WHISTLE BLOWING POLICY

<b>Review Body:</b>	Trust Board
<b>Leadership Group Responsibility:</b>	Business Manager
<b>Type of Policy:</b>	Statutory
<b>Reviewed:</b>	September 2020

### 1. Introduction

Rainham Mark Education Trust is committed to the highest possible standards of openness, probity and accountability and we encourage employees and others working with us to raise any concerns about any aspect of our work to come forward and voice those concerns. In some instances, concerns may need to be expressed on a confidential basis.

This procedure encourages employees to raise serious concerns, without fear of reprisal or victimisation, rather than overlooking a problem or raising the matter outside.

This policy applies to all employees, agency workers, suppliers and those contractors working on our premises. It will, therefore be displayed in the staff room, the school office and on our website.

The policy is to be read in conjunction with key policies such as Health and Safety and Safeguarding and Child Protection.

### 2. Aim and scope

This procedure aims to ensure individuals are:

- encouraged to feel confident in raising serious concerns and to question and act upon concerns about practice
- provided with avenues to raise concerns and receive feedback on any action taken
- given a response to their concerns and are aware of how to pursue them if not satisfied
- reassured that they will be protected from reprisals or victimisation if they have a reasonable belief any disclosure has been made in good faith.

There are existing procedures in place to enable individuals to lodge a grievance relating to their own employment including issues relating to bullying. This procedure is intended to cover concerns that fall outside the scope of other procedures. These include serious concerns about:

- conduct which is, has been or is likely to be an offence or breach of law
- conduct that has occurred, is occurring or is likely occur, the result of which we fail to comply with a legal obligation. For example unauthorised use of public funds, possible fraud and corruption, sexual or physical abuse of any individual, or other unethical conduct discrimination of any kind and waste/frivolous expenditure
- disclosures related to past, current or likely miscarriages of justice
- past, current or likely health and safety risks, including risks to the public as well as other employees (see below)
- past, current or likely damage to the environment

Concerns about any aspect of provision can be reported. This may be about something that you feel

- uncomfortable about in terms of known standards, your experience or the standards you believe we subscribe to; are against our standing orders and policies;
- falls below established standards of practice, or
- amounts to improper conduct.

Complaints or concerns about Health and Safety should be addressed to the Head teacher.

Where the concern is of a safeguarding nature, the school will follow guidance as stated in KCSIE September 2020 namely:

What school or college staff should do if they have concerns about safeguarding practices within the school or college

51. All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school's or college's safeguarding regime, and know that such concerns will be taken seriously by the senior leadership team.

52. Appropriate whistleblowing procedures should be put in place for such concerns to be raised with the school's or college's senior leadership team.

53. Where a staff member feels unable to raise an issue with their employer, or feels that their genuine concerns are not being addressed, other whistleblowing channels may be open to them:

- general guidance on whistleblowing can be found via: Advice on Whistleblowing <https://www.gov.uk/whistleblowing>; and
- the NSPCC's what you can do to report abuse dedicated helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their school or college. <https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicated-helplines/whistleblowing-advice-line/>

Staff can call 0800 028 0285 – line is available from 8:00 AM to 8:00 PM, Monday to Friday and email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/912593/Keeping\\_children\\_safe\\_in\\_education\\_part\\_1\\_Sep\\_2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/912593/Keeping_children_safe_in_education_part_1_Sep_2020.pdf)

### 3. **Confidentiality**

All concerns raised will be treated in confidence and every effort will be made not to reveal your identity if this is your wish. However, in certain cases, it may not be possible to maintain confidentiality if you are required to come forward as a witness.

### 4. **Anonymous allegations**

Whenever possible you should put your name to your allegation as concerns expressed anonymously are much less powerful than those that are attributed to a named individual. However, anonymous allegations will be considered and investigated at our discretion.

In exercising the discretion, the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources.

## 5. **Untrue allegations**

If you make an allegation in good faith that is not subsequently confirmed by an investigation, no action will be taken. Disciplinary action will only be taken against individuals who knowingly make false, malicious or vexatious allegations.

## 6. **How to raise a concern**

Concerns can be raised verbally or in writing. A concern raised in writing should:

- set out the background and history of the concern, giving names, dates and places where possible
- the reason why you are particularly concerned about the situation.

The earlier a concern is raised the easier it is to take action. Although you are not expected to prove beyond doubt the truth of an allegation, you need to demonstrate to the person contacted that there are sufficient grounds for your concern.

A trade union or professional association may raise a matter on behalf of an employee. When a concern is raised verbally, a note of the meeting will be taken which all parties must sign as representing a true record of the meeting including details of the concern raised.

### (a) **Step One - Raising a Concern**

Whenever possible you should raise your concern with a member of the Senior Leadership Team, the Head teacher or the designated Governor.

### (b) **Step Two - How we will respond**

The action we take will depend on the nature of the concern. The matters raised may:

- be investigated internally by the Head teacher and/or the Chair of Governors through the disciplinary or other internal process
- be referred to the police
- be referred to the External Auditor.

In order to protect individuals, 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, discrimination issues or criminal activity) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required it will be taken before any investigation is conducted.

Within 10 working days, the responsible person will write to you:

- acknowledging that the concern has been received
- indicating how we propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- informing you if any initial enquiries have been made
- whether further investigations will take place and, if not, why not.

### (c) **Contact**

The amount of contact between the people considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought.

(d) **Attending meetings**

When any meeting is arranged you have the right to be accompanied by a trade union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

(e) **Support**

We will take steps to minimise any difficulties you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, we will advise or arrange for you to have advice about the procedure.

We will not tolerate harassment or victimisation (including informal pressures) and will take action to protect individuals who raise a concern in good faith.

We accept that you need to be assured that concerns will be properly addressed and, subject to legal constraints, will provide information about the outcomes of any investigations.

7. **How the matter can be taken further**

This procedure is intended to provide individuals with an avenue to raise concerns within the School. If you are not satisfied, and feel it is right to take the matter further, the following are possible contact points:

- Public Concern at Work 0207 404 6609
- Audit Commission 020 7630 1019
- relevant professional bodies or regulatory organisations
- a solicitor
- the police

If a matter is taken outside the school, you must take all reasonable steps to ensure that confidential or privileged information is not disclosed. If in doubt, check with the contacts listed above.

8. **Public interest disclosure**

Under the Public Interest Disclosure Act 1998 an employee is entitled not to be subjected to any detriment by virtue of having made a protected disclosure.