Whistle Blowing Policy

Expolink

Freephone 0800 374199

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

1. Introduction & Purpose of Policy

Epsom Primary and Nursery 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. Staff 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. 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 employed in schools maintained by Surrey County Council have access to an external, independent and confidential service provided by Expolink (see above 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 whistle blowing policy, are available to all members of staff from the school office.

2. Scope of the Policy

There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. The whistle blowing 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 whistle blowing 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

It is recognised that the decision to report a concern can be a difficult one to make. 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 School's Ending Bullying and Harassment Policy.

A member of staff making an allegation within the scope of this policy will be supported by the School when raising a concern, providing that he/she:

- Believes the concern to be true
- Is not acting maliciously or making false allegations
- Is not seeking any personal gain.

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 is likely to 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 Expolink service (see p.1 for contact details), there is provision to provide Expolink with a name and contact details which will not be passed to the School without express permission from the individual.

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 Council and/or to the 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

As a first step, a member of staff should normally raise concerns with his/her immediate line manager, the Headteacher or the Designated Safeguarding Lead, where this is appropriate to the nature of the concern. If the allegations involve the Headteacher, the member of staff should raise the matter with the Chair of the Governing Body or, should the whistle blower feel the need to involve a person external to the school, his/her trade union/professional association or the Local Education Officer (LEO), who will refer allegations to other officers of the Council and/or to Babcock 4S, as relevant to the nature of the concerns.

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 Expolink, to report the concern (for contact details, see p. 1). Expolink will be responsible for ensuring that concerns are referred on to the appropriate personnel at the Council and at Babcock 4S who will, in turn, contact the school. Where financial impropriety has been alleged, information will be referred to the Council's Internal Audit Team.

Concerns may be raised verbally or in writing, but the earlier the concern is expressed the easier it is to take any required action. 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 Personnel Consultant at Babcock 4S.

The whistle blower 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

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. 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, bullying or harassment or disciplinary, will normally be referred for investigation and consideration under those procedures.
- Where there are any concerns about financial impropriety or criminal activity, the concern will be referred to Surrey County Council's Internal Audit Team before taking any other action, which may include reporting to the police.
- Concerns indicating unlawful activity should be reported to the Head of Legal and Democratic Services at Surrey County Council, who is the Council's Monitoring Officer.
- Suspected incidents of malpractice relating to examinations will be reported to the appropriate awarding body at the earliest opportunity.

- In other cases, an impartial investigator may be appointed and the School will seek advice from the LEO or the School's Personnel Consultant regarding an appropriate person.

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 Expolink where this was the reporting route. The response will:

- Acknowledge receipt of the concern
- Indicate how the School proposes to deal with the matter
- Give an estimate of how long it will take to provide a final response
- Advise whether any initial enquiries have been made
- Supply information on any staff support mechanisms (e.g. EAP), and
- Advise whether further investigation or action is required, and if not, why not.

Where Expolink was the reporting route, the person dealing with the concern will provide an additional update after 4 weeks of receipt of the report, advising of additional progress and timescales for a final response.

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.

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 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 Public Concern at Work (www.pcaw.co.uk)

7. Monitoring & Reporting

The Governing Body of the School is responsible for overseeing the operation of this policy and for ensuring that appropriate records are maintained regarding concerns raised and the outcomes. It is also responsible for reporting concerns to officers at Surrey County Council and to other external bodies as appropriate to the circumstances. In reviewing this policy from time to time, the Governing Body will have regard to the Council's whistle blowing procedures in force at the time of review.

Additional Contact Details:

Designated Safeguarding Lead

The School's DSL's are: Mrs Michelle Pollard, Mrs Fiona Allen, Mrs Jo Jarvis, Mrs Denice Reynolds, Mrs Rupi Thasan and Miss laura Herrington

dsl@epsom.surrey.sch.uk

Telephone: 01372 720608

Local Education Officer

Caroline Marden – caroline.marden@surreycc.gov.uk

Telephone: (NE) 01372 833412

Surrey County Council's Internal Audit Team

Telephone: 020 8541 9299 Email: internal.audit@surreycc.gov.uk

Babcock 4S

Telephone: 0800 073 4444