



# Whistle Blowing Policy

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Lister Community School, London aims to provide the highest possible standard of education for all our students, and to be the first choice school for parents in our area.

Our mission is to:

- offer a broad and rich curriculum which provides our students with:

*a sound basis to understand and contribute to the world they live in ;  
the skills they need for their future education and employment;  
the foundation for enjoyment and appreciation of the great intellectual and cultural  
capital of the city in which they are living*

- be a centre for excellence, in particular for the quality of teaching and learning
- be a preferred employer, where all staff feel valued, challenged and developed

Lister Community School endeavours to fulfil this mission through seeking to work in a manner which is underpinned by our core values:

- to be a centre of learning in our community that will be **highly ambitious** in leading our students to achieve their best
- to demonstrate our **passion for and belief in the value of learning**, and of the subjects we teach
- to be **outward looking, accountable and transparent**
- to **treat all members of the school community with kindness, politeness and consideration**
- to base decisions on evidence, and to monitor and evaluate the impact of our actions
- to take account of the views of parents and the local community and the interests of all young people in Newham

This policy and the associated procedures are based on these principles, aims and values.

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## Introduction

Lister Community School is committed to the highest possible standards of transparency, probity and accountability in all its activities. It also expects a high standard of conduct and integrity from employees. Any employee who has a serious concern about any aspect of the school's work or the actions of any of its employees should voice their concerns through established internal channels, without fear of harassment or victimisation.

## Purpose

The purpose of the policy is to:

- encourage employees to feel confident in raising concerns and to question and act upon their concerns
- provide avenues for employees to raise these concerns and receive feedback on any action taken
- allow employees to take the matter further if they are dissatisfied with the school's response
- reassure them that they will be protected from reprisals or victimisation for whistleblowing in good faith in accordance with the procedure

This policy applies to all employees including those working on a temporary or casual basis.

There are existing procedures in place to allow staff to lodge a grievance relating to their own employment within the school's Discipline, Conduct and Grievance Procedures.

This policy is intended to cover reasonably serious concerns that fall outside the scope of other procedures. That concern may be about any of the following:

- A Criminal conviction that has been, is being or is likely to be committed
- Fraud and Corruption
- Unauthorised use of public funds
- A failure to comply with a legal obligation
- A health and safety risk relating to any individual
- A miscarriage of justice
- A damage to the environment
- Actions that are contrary to any of the school's policies
- Actions of behaviour that falls below established standards of practice
- Abuse and welfare of students or staff
- Harassment or victimisation of students or staff

- Any actions or concerns regarding practice that could result in a financial loss to the school
- The deliberate concealment of information relating to any of the above matters
- Other unethical conduct

This list is not exhaustive.

## **Procedure**

### **Making a disclosure - initial action**

As soon as an employee becomes reasonably concerned about a matter, they should first raise the issue with their line manager (the “receiving manager”), unless the disclosure concerns them, in which case the employee should write to the Headteacher, or the School Business Manager. If an employee has concerns about another member of staff and the safety or welfare of a child then they should raise the issue with the Headteacher.

Disclosures involving the Headteacher should be raised with the Chair of Governors. In this case, the Chair of Governors may appoint an independent investigator to consider the case and if there are grounds for proceeding. Disclosures concerning a member of the Senior Leadership Team (SLT), should be raised with the Headteacher. This can be done via the employee’s line manager.

All of leadership have a responsibility to act on the concerns raised, in accordance with this procedure. Failure to do so in accordance with the policy and procedure may lead to disciplinary action.

Concerns may be raised verbally or in writing and should give the background, the nature of the malpractice that is alleged; relevant dates where possible; the reasons for the concern and the names of individuals against whom the allegations are made.

If the concern is raised verbally, then the person receiving the information should put in writing, an outline of the matters raised and this should be confirmed in writing to the employee. This should be done within ten working days.

Once a concern is raised the ‘receiving manager’, should report the matter to the Headteacher who will appoint an appropriate member of the leadership team to investigate (the Investigating Officer), this could be the ‘receiving manager’. The Headteacher will determine whether the matter constitutes a disclosure or whether it should be dealt with under another procedure (the employee will be informed of this). If the matter is dealt with under the Whistleblowing policy then the employee will then be informed of the name of the Investigating Officer. If the matter relates to the Headteacher, the Chair of Governors will appoint the Investigating Officer. Due to the nature of the disclosure the Headteacher may appoint an independent external investigator to look into the matter. If the matter relates to the Headteacher then decisions for proceeding will be made by the Chair of Governors.

The ‘receiving manager’ will then inform the employee in writing of the process to be followed.

The 'receiving manager' will also inform any employee against whom allegations are made of the allegations. This will normally be done in writing within ten working days. However this may be delayed if it is likely to jeopardise the investigation.

## Handling a disclosure

The Investigating Officer will be responsible for deciding whether there are grounds for proceeding further with the case. Potential action that the Investigating Officer could take includes a clarification of the facts, a more formal investigation or the employee may be advised that the matter is better dealt with under another policy.

Where appropriate, the matters raised may:

- be investigated by the Investigating Officer or internal auditors
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry by an outside body

This will be determined by the Investigating Officer in conjunction with the Headteacher and the School Business Manager.

Within four weeks of a concern being raised, the Investigating Officer will write to both parties:

- indicating how the School proposes to deal with the matter, and where an internal investigation is to take place giving an estimate of how long it will take to provide a full response
- indicating whether further investigations will take place and if not, why not

**Appendix 1** provides details of the role of the Investigating Officer.

Any internal investigation should take no longer than three months to complete from the date of receipt of original disclosure. As part of the investigation, the Investigating Officer will decide:

- whether disciplinary action be taken against any employee
- whether changes should be recommended to any school procedure
- whether any other action should be recommended
- these will be detailed in a final report

The Investigating Officer will send a copy of the final report, including recommendations, to the Headteacher who will consider the recommendations and determine what action, if any, to take. The Investigating Officer will also give a response in writing to the employee who made the disclosure as soon as possible after the completion of the investigation. This response will include the outcome of

the investigation and what action, if any, is to be taken, although precise details may not be given where there are legal constraints, or it would infringe a duty of confidence owed by us to someone else or where there are business reasons for not doing so.

The individual who is subject to the disclosure will also be informed of the outcome in writing and what action, if any, is to be taken as soon as possible after the completion of the investigation.

## Appeal

An employee who raises a concern and is not satisfied with the outcome or action proposed may appeal against the decision to a more Senior Leader within Lister Community School. An appeal should be made to the School Business Manager within five days' of receipt of the outcome letter. The Headteacher will determine who should hear the appeal. The appeal should be completed within one month.

After the appeal process is exhausted, there is no further right of internal appeal. However, if the employee remains dissatisfied they may raise the matter further by contacting an outside agency.

An employee who is subject to action arising from a whistleblowing disclosure will be able to make representations, within five working days, to the Headteacher about the outcome of the report. The Headteacher will consider these representations and may direct further investigation or review as appropriate.

## Timescales

Action	Timescale	By Who
Written acknowledgement of disclosure made in writing or if received verbally, including an outline of process to be followed	Within 10 working days	Person who receives the disclosure - <b>the receiving manager</b>
Confirm in writing to the person complained of that a disclosure has been received and that it is being considered. Outline the process to be followed	Within 10 working days	Person who receives the disclosure - <b>the receiving manager</b>
Confirmation of whether the matter is to be investigated, and if so, how it will be investigated. Letters sent to employee and person complained of	Within four weeks of receipt of disclosure	Person appointed to investigate - <b>the Investigating Officer</b>
Written confirmation of outcome of investigation and action to be taken. Report sent to Headteacher,	Within three months of receipt	Person appointed to investigate - <b>the</b>

recommendations and determines what action to take. Letters sent to employee and person complained of	of disclosure	<b>Investigating Officer</b>
Appeal against outcome of investigation	Within five working days from receipt of outcome	Employee who makes the disclosure
Appeal carried out	Within one month of appeal	Member of Leadership appointed to hear appeal
Appeal to Headteacher	Within five working days from receipt of outcome	Employee subject to the disclosure

While the Investigating Officer will need to adhere to the timescales indicated, the nature of some serious concerns may require the investigation to take longer than three months. In these circumstances all parties will be kept informed as to progress.

## **Recording and Monitoring**

The School Business Manager will maintain a register containing all concerns that are brought to the organisation's attention. These will be reported on a quarterly basis to the Chair of Governors.

All records will be treated as confidential and kept no longer than necessary in accordance with the Data Protection Act 1998. Individuals will have the right to request and have access to certain personal data. Employees will be given copies of meeting records, although some information may be withheld to protect a third party.

# Appendices

## Appendix 1 - Resources

The role of the Investigating Officer

**The Investigating Officer will have the following responsibilities to the School:**

- Arrange individual interviews with relevant witnesses or individuals and inform them of their right to be accompanied at the meeting by their trade union representative or work colleague.
- Establish the facts/obtain statements/collect documentary evidence
- Maintain detailed records of the investigation process
- Make any recommendations for action to be submitted to a more Senior Leader

**The Investigating Officer will have the following responsibilities towards the employee who raised the disclosure:**

- Hold a formal meeting with the employee making the complaint to discuss the matter
- Inform them of their right to be accompanied at any interview by their trade union representative or work colleague
- Keep the employee up to date with progress on the matter and agree timescales for action
- Notify the employee making the disclosure about the outcome of the investigation, including how the matter will be dealt with and whether they will be required to attend an investigatory interview.
- Give details of employee support mechanisms available

**The Investigating Officer will have the following responsibilities towards the employee against whom the disclosure is raised:**

- Inform the individual/individuals about whom the disclosure is made in writing of the disclosure, the seriousness of the allegations and provide any supporting evidence
- Advise in writing of the procedure to be followed
- Give the person the opportunity to respond in person and in writing to the claims made, and receive and consider any relevant evidence
- Inform them of their right to be accompanied at any interview by a trade union representative or work colleague
- Give details of employee support mechanisms available

- The Investigating Officer may also be required to act as a witness at any subsequent disciplinary hearing if required.
- Where necessary, the school will provide support, counselling or mediation to any team subject to investigation in order to ensure normal working relationships are resumed as effectively as possible.

**The member of leadership appointed to hear an appeal will have the following responsibilities:**

- Hold appeal meeting with employee who made the disclosure
- Ensure all parties are informed of their right to be accompanied at any meetings by a trade union representative/work colleague
- Review the investigation report/procedure followed and findings
- Decide whether to uphold appeal or not
- Initiate a new investigation if necessary
- Report the appeal findings in writing to the Headteacher, if applicable
- Communicate outcome in writing to the employee making the disclosure and the employee against whom the disclosure is made.