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# Newdigate / St. Michael's C.E Infant Schools Whistleblowing Policy September 2022

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## Introduction

**Newdigate and St. Michael's C.E Infant Schools**, along with Surrey County Council are committed to the highest possible standards of honesty, openness and accountability. It seeks to conduct its affairs in a responsible manner, to ensure that all activities are open and effectively managed, and that the integrity and principles of public interest disclosure are sustained.

In line with that commitment we encourage employees, those working on behalf of the Council / **School** and others that we deal with, who have serious concerns about any aspect of the Council or **School's** work to come forward and voice those concerns as follows:

- a) with their immediate manager and/or more senior managers. Where any member of staff decides to report a serious incident, whether anonymous or not, this will be treated as a 'protected, internal disclosure' i.e. there will be no adverse repercussions for the member of staff.
- b) through an external, independent and confidential service provided via the [Navex Global](#) helpline. Freephone: 0800 069 8180.

## **Purpose of the policy**

Employees are often the first to realise that there may be something seriously wrong within the Council/**School**. However, staff may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Council /**School**. They may also fear harassment or victimisation. Each person working for Surrey County Council needs to realise that they not only have the right, but also a duty to report any improper actions or omissions.

Surrey County Council also recognises and appreciates that staff who raise concerns regarding malpractice or wrongdoing are an asset, and not a threat. This policy makes it clear that they can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. The whistleblowing policy is intended to encourage and enable staff to raise serious concerns within the Council / **School**.

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.

## **Who is covered by the policy?**

**The policy applies to all Council/ School employees whether full-time or part time, permanent or temporary; members of the Council/ School and those carrying out work for the Council / School on Council / School premises, for example, agency workers, contractors, consultants.** It also covers providers of works, services and supplies, including the Council or **School's** external contractors and those providing services under a contract with the Council / **School** in their own premises. However, to facilitate the reading of this policy, the terms 'staff' or 'members of staff' have been used, with the intention to cover all individuals mentioned above.

**Governors have made the decision that this policy also applies to Newdigate C.E and St. Michael's C.E (Mickleham) Infant schools. Arrangements for whistleblowing procedures are outlined in bold.**

## **Scope of the policy**

The whistleblowing policy is intended to cover serious concerns that 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 as well as other employees/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 service users

Therefore, any serious concerns that a member of staff has about any aspect of service provision or the conduct of **Surrey County Council staff** or Members of the Council, others acting on behalf of the Council, service users or residents, can be reported under the whistleblowing policy where the member of staff has a reasonable belief in those concerns and they relate to one of the specified areas set out above.

A wrongdoing disclosed under the policy should be in the public interest, this means it affects others. There are existing procedures in place to enable employees to lodge concerns relating to their own employment.

## **Links with other policies**

In investigating financial irregularities, this policy should be read in conjunction with other Schools safeguarding policies.

This policy does not replace the corporate complaints procedures.

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## **Safeguarding against harassment or victimisation**

The Council / **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/or those for whom they are providing a service.

The Council will take appropriate action to protect staff when they raise a concern, by supporting the member of staff and consider action under 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.

There are national guidelines to help you as a whistleblower. See the government guidance: <https://www.gov.uk/whistleblowing>.

There is also a whistleblowing charity Protect that has a helpline on 020 3117 2520. This helpline offers independent and confidential advice to those who are unsure whether, or how, to raise a public interest concern.

## **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.

## **Confidentiality**

All concerns will be treated in confidence but at the appropriate time, the whistleblower may be asked to come forward as a witness, and this will be discussed with them.

## **Anonymous allegations**

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

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Where a concern is raised via the external confidential Navex Global Service, the whistleblower can choose to provide Navex Global with their name and contact details, which will not be passed to the Council / **School** without express permission from the individual. This enables Navex Global to ask for further information on the concern, if required.

The Council / **School** will take all concerns raised seriously. When carrying out an initial review of a concern, the council will take into account the following factors:

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

## How to raise concerns

There are two ways in which to raise a concern:

1. Staff may raise concerns with their immediate manager or another manager or, if it is believed that such managers are involved, the Chief Executive, the Director of Finance, Director of HR and OD, the Monitoring Officer or Chief Internal Auditor should be approached. **School staff should raise concerns in a similar way, to their immediate manager, the Headteacher, or the Chair of Governors as appropriate.**

Concerns may be raised verbally or in writing. Staff who wish to make a written report are asked to provide the background and history of the concern (including relevant dates) and the reason why they are particularly concerned about the situation.

The earlier the concern is expressed, the easier it is to take action. In order to assist with the investigation, staff should provide as much detail and supporting evidence as possible. Staff are not expected to prove that an allegation is true, only to have sufficient grounds for concern.

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

2. While concerns will usually be raised internally, the Council / **School** recognises that staff may feel unable to do this, and that they may wish to contact an independent, external organisation, such as [Navex Global](#), in order to report something. Navex Global is an external and independent organisation which specialises in providing a confidential hotline service for whistleblowing 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.

## How the school will respond

The school will investigate and respond to all concerns raised by staff or service users through any channels including Navex Global and the Contact Centre.

While it is not essential that the concerns be provided in writing, the person receiving the concern will, ensure that a written account of it is made. This will help with the subsequent investigation by facilitating clear record-keeping.

When a concern is raised directly with a Manager, they should undertake the following actions:

- Take the concern seriously  
Consider the concerns fully and objectively
- Recognise that raising a concern can be a difficult experience for employees
- Ensure confidentiality
- Refer to a manager of appropriate seniority, to agree the level at which the concern will be investigated and identify who will take responsibility for co-ordinating the enquiry.

Staff members who are under investigation will not be involved in the investigation process. In schools, this will include Governing Body members.

Advice and guidance on the use of the whistleblowing policy can be obtained from the Headteacher who will seek further advice if necessary.

## 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.

In order to protect the individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the Council / **School** will have in mind, is that of the public interest. If urgent action is required, for example if the welfare of pupils may be at risk, this will be taken before any investigation is conducted. Further to the results of this enquiry, the following steps will be considered:

## **Preliminary review**

A preliminary review establishes the need to carry out an investigation. Further to the results of the initial enquiry and preliminary review, and at the discretion of senior management, the following steps will then need to 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 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.
- Inform the Council's Monitoring Officer if the concerns indicate unlawful activity.
- 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 Council or School need to be applied
- In other cases, an impartial investigator may be appointed and the School will seek advice from the AEO or the School's HR Consultant regarding an appropriate person.
- Appointment of an officer to carry out the investigation under these procedures.

## **Investigation**

Depending on the nature of concerns, investigation may be carried out under the Disciplinary Policy or the Strategy against Fraud & Corruption.

### **Investigation Timescales**

Within 14 days of a Navex Global report being received, the person who is dealing with the concern that has been raised will respond in writing:

- Acknowledging that the concern has been received
- Supplying information on staff support mechanisms, and
- Advising whether further investigations 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 will need to contact Navex Global or their original reporting route in order to receive updates.

## Investigation process

The impartial investigating manager appointed to undertake the investigation will establish the facts of the matter and assess 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.

It is essential that written records of all interviews be kept throughout the investigation, together with written details of any action taken. The investigation will result in a written report and recommendations for corrective action which will be passed to the manager responsible for deciding whether formal action shall be taken.

Where any meeting is arranged involving an individual member of staff, which can be offsite, a recognised Trade Union representative or a work colleague may also attend. The Council/Governing Body 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, the Council/**Governing Body** will arrange for them to receive appropriate procedural and/or legal advice.

A member of staff raising directly with a senior officer / **manager** a concern will be, subject to legal constraints, advised in writing of the outcome of the investigation and, where appropriate, what action is being taken.

## Monitoring arrangements

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.