



Dated: September 2021
Review Date: February 2022

Whistle Blowing Policy

INTRODUCTION

Employees are often the first to realise that there may be something seriously wrong with their school and/or LA. However, they may not express their growing concerns because they feel that speaking up would be disloyal to their colleagues or to the LA. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may be just suspicion of malpractice and wrong doing at work.

The Manorway Independent School are committed to the highest possible standards of openness, probity and accountability. In line with this commitment, we encourage employees and others with genuine concerns regarding Manorway Independent School to come forward and voice those concerns. This policy document makes it clear that employees can do so without fear of reprisals. The whistleblowing policy is intended to encourage and enable employees to raise such concerns within the school or where appropriate the LA rather than overlooking the problem or blowing the whistle outside.

This procedure accords with the requirements of the Public Interest Disclosure Act 1998 and is compatible with the conventions contained in the Human Rights Act 1998.

The procedure allows school-based employees to raise concerns about the management of the school with The Governing body and to raise concerns about the committee of the school with named LA officers. The procedure also allows Manorway Independent School's employees who have concerns about the LA to raise these concerns with named LA officers.

AIMS AND SCOPE OF THIS POLICY

- This policy aims to:
Provide avenues for you to raise genuine concerns and receive feedback on any action taken;
- Allow you to take the matter further if you are dissatisfied with The Governing body or LA response;
- Reassure you that steps will be taken to protect you from reprisals or victimisation for whistleblowing in good faith.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment. This whistleblowing policy is intended to cover genuine concerns that fall outside the scope of other procedures.

That concern may be about something that:

- Is unlawful;
- Is against Manorway Independent School policies;
- Falls below established standards of practice;
- Amounts to improper conduct;
- Is a Health and Safety risk, including risks to the public as well as pupils or other colleagues;
- Is damaging the environment;

The procedure will be communicated to all school employees as well as agency workers and supply teachers working in schools on a temporary basis.

Whistle-blowing covers concerns made that report wrongdoing that is “in the public interest”. Examples of whistle-blowing include (but aren’t limited to):

- Criminal offences, such as fraud or corruption
 - Pupils’ or staffs’ health and safety being put in danger
 - Failure to comply with a legal obligation or statutory requirement
 - Breaches of financial management procedures
 - Attempts to cover up the above, or any other wrongdoing in the public interest
 - Damage to the environment
- A whistle-blower is a person who raises a genuine concern relating to the above. Not all concerns about the School count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance. When staff have a concern they should consider whether it would be better to follow our staff grievance or complaints procedures

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SAFEGUARDS

Harassment or Victimisation

Manorway Independent School recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal. The Governing body and/or LA will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. However, should you feel that you have suffered harassment, either directly or indirectly as a result of raising a concern, you should refer to the School’s Harassment and Bullying Policy and Code of Practice.

This does not mean that if you are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of your whistleblowing.

Confidentiality

Manorway Independent School will do its best to protect your identity when you raise a concern. However, it must be appreciated that, in the interests of natural justice, any investigation process may reveal the source of the information and a statement by you may be required as part of the evidence.

Anonymous Allegations

You are strongly encouraged to put your name to any allegation. Concerns expressed anonymously are much less powerful. Anonymous allegations will be considered and any action taken at the discretion of Manorway Independent School.

In exercising this discretion, the following factors will be taken into account when considering how to deal with any allegations:

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

Malicious or Vexatious Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make a malicious or vexatious allegation, disciplinary action may be taken against you in accordance with the School's Disciplinary Procedure.

HOW TO RAISE A CONCERN

As a first step, you should normally raise concerns with Middle Managers, Senior Managers or Head-teacher. This depends, however, on the seriousness and sensitivity of the issues involved and who you think may be involved in the malpractice. For example, if you believe that your line manager is involved, you should approach your Head.

If the concern is about The Governing body, the matter should be raised with the chair.

Advice and guidance on how matters of concern may be pursued can be obtained from:

- Your line manager;
- Head-teacher;
- Governing body;

Concerns are better raised in writing. You are advised to set out background and history of your concerns, giving names, dates and places, where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or arrange to meet an appropriate officer who will agree a written statement with you. If you are a member of a union you may find it helpful to take advice from them about putting your concerns in writing.

The earlier you express your concern, the easier it is for Manorway Independent School to take action.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for initial enquiries to be made.

HOW MANORWAY INDEPENDENT SCHOOL WILL RESPOND

The action taken by The Governing body or LA will depend on the nature of the concern. The matters raised may:

- Be investigated internally;
- Be referred to the relevant authorities;
- Be referred to an external Auditor;
- Form the subject of an independent enquiry.

In order to protect individuals, Manorway Independent School's initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (e.g. child protection or discrimination issues) will normally be investigated internally and referred for consideration under those procedures when necessary.

Some concerns may be resolved by agreed action without the need for an investigation.

Within ten working days of a concern being received Manorway Independent School will write to you:

- Acknowledging that the concern has been received;
- Indicating how it proposes to deal with the matters;
- Giving an estimate of how long it will take to deal with the matter;
- Telling you whether any initial enquiries have been made; and
- Telling you whether further investigations will take place, and if not, why not;
- The governing body would need to take the decision with the relevant authority.

The amount of contact between the Governing body 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.

When any meeting is arranged to discuss your concerns, you have the right, if you so wish, to be accompanied by a union representative, legal team or a work colleague who is not involved in the area of work to which the concern relates and who also could not be called as witness.

The Governing body or LA will take steps to minimise any difficulties, which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Governing body or LA will advise you about the procedure.

Manorway Independent School accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcome of any investigations.

Any person who is subject of an allegation should, at the appropriate times be given details of the allegation in order to respond. They will have the right to union representation and legal advice.

HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide you with an avenue to raise concerns with Manorway Independent School. Manorway Independent School hopes you will be satisfied. If you are not and you feel it is right to take the matter outside the school, the following are possible contact points:

- Ombudsman;
- Relevant professional bodies or regulatory organisations;
- Your solicitor;
- The Police;
- Other bodies prescribed under the Public Interest Disclosure Act 1998 e.g.:
- The Audit Commission for England and Wales
- Data Protection Registrar
- Serious Fraud Office
- Environment Agency
- Health and Safety Executive

If you do take the matter outside Manorway Independent School, you need to ensure that you do not disclose confidential or privileged information. Where confidential or privileged information is inappropriately disclosed you may be subject to disciplinary action. Employees considering such action should make themselves aware of Part IVA of the Employment Rights Act 1996 as inserted by the Public Interest Disclosure Act 1998.

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THE RESPONSIBLE OFFICER

Within Manorway Independent School it is the responsibilities of the head teacher, managers and The Governing body to maintain a record of genuine concerns raised and the outcomes in a form that endeavours to maintain your confidentiality as far as possible.