



Whistle Blowing Policy

September 2018

(To be reviewed annually)

Contents

Introduction	3
Scope and Definitions	3
Safeguards	4
Harassment or victimization	4
Confidentiality.....	4
Anonymous allegations.....	5
False and malicious allegations	5
How to Raise a Concern	5
How the Matter will be investigated.....	6
Monitoring, Awareness and Training.....	7
How the Matter Can be Taken Further.....	8

Introduction

1.1 'Whistleblowing' is when someone reports a suspected wrongdoing at work. Officially this is called 'making a public interest disclosure'. Employees or workers are often the first to realise that there may be something seriously wrong and, from time to time, a situation may arise where an employee has serious concerns about perceived irregularities in the running Armitage Primary School, or the activities of colleagues within the organisation. Such concerns may relate, for example, to financial mispractice, breach of trust, unlawful conduct or dangers to the public. This policy enables employees to raise concerns about malpractice at an early stage

Scope and Definitions

2.1 The policy is primarily concerned with allegations made by employees (not least to address the potential of the City Council breaching requirements of the Public Interest Disclosure Act).

2.2 However, the principles outlined in these procedures and guidance, as far as they can be, will be applied to Whistle blowing allegations received from sources other than employees of the school. In these cases, particular consideration needs to be given to matters of confidentiality.

2.3 Existing internal procedures enable employees and others to lodge various concerns and these should normally be followed without recourse to the Whistle blowing arrangements. These concerns cover e.g. Grievances relating to employees' conditions of employment; Harassment; Complaints relating to service delivery; etc.

2.4 However, these matters can be raised if there are concerns that the appropriate procedures may be subverted or not pursued diligently.

2.5 The Whistle blowing Policy is intended to cover concerns that fall outside the scope of these existing procedures and is aimed at addressing areas relating to possible malpractice or wrongdoing.

2.6 Aspects of malpractice and wrongdoing which may be raised under the provisions of the Whistle blowing Policy include: -

- Any unlawful act, whether criminal or a breach of civil law;

- Waste, abuse or misuse of the School's resources
- Breach of the City Council's Code of Conduct for Employees;
- Breach of the School's Scheme of Delegation;
- Breach of Schools Financial Regulations;
- The health and safety of any individual has been, or is likely to be, endangered;
- The environment has been, is being or is likely to be, damaged (as a result of the School's actions or inaction's)
- Information about any of the above has been, is being, or is likely to be, deliberately concealed.

2.7 The Governing Body will investigate those matters that fall clearly within its area of operational responsibility or will formally refer the matter to the City Treasurer. In all cases the responsibility for investigating the allegation quickly will be accepted.

Safeguards

3.1 In order to ensure that allegations are investigated in the right spirit with the right outcome, the following safeguards or principles should be applied.

Harassment or victimization

4.1 The Governing Body acknowledges that the decision to report a concern can be a difficult decision for an employee to take, not least because of the fear of reprisal from those responsible for the malpractice. The Governing Body will not tolerate harassment or victimisation and will take appropriate action to protect any person who raises a concern in good faith.

4.2 The Governing Body will monitor how employees are subsequently treated after raising a matter of concern and if there is find evidence of harassment or victimisation, it will be dealt with under disciplinary arrangements.

Confidentiality

5.1 The Governing Body will do everything possible to protect an employee's identify when a concern is raised and the individual does not want their name disclosed. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement may be required as part of the evidence.

Anonymous allegations

6.1 Concerns expressed anonymously are much less persuasive than when an employee is prepared to come forward formally. Nevertheless, anonymous allegations will be considered at the discretion of the Governing Body depending upon: -

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

False and malicious allegations

7.1 While encouraging employees to bring forward matters of concern, the Governing Body will guard against bogus claims (not least because the cost of investigation is high) but also claims made deliberately to damage the reputation of other employees in the school or the City Council as a whole.

7.2 Consequently if an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be considered or taken. However, if an employee makes false, malicious or vexatious allegations this will be treated as a serious disciplinary offence and disciplinary action will be taken - the Public Interest and Disclosure Act only offers protection to the individual if the disclosure is made in good faith.

How to Raise a Concern

8.1 The earlier an employee expresses a concern, the easier it will be to take action.

8.2 Employees should normally raise their concerns with their immediate line manager. However, the most appropriate person to contact to report a concern will depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.

8.3 For example, if an employee believes that their manager is involved in the matter of concern any of the following may be contacted: -

The Chair of Governors (T: 0161 273 6662)

Director of Children's Services, Pauline Newman (T: 0161 234 3804)

The City Treasurer (T: 234 5000)

The Chief Executive (T:234 5000)

Internal Audit (T: 234 5000)

The Fraud Investigation Group (T:234 5000)

8.4 Wherever possible, concerns should be expressed in writing, setting out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee is particularly concerned about the situation.

8.5 However, if an employee does not feel able to put the concern in writing, he or she should be allowed to telephone or meet the appropriate officer.

8.6 Although an employee is expected to prove the truth of an allegation, he or she will need to demonstrate to the person contacted that there are sufficient grounds for a concern to be raised and to enable the matter to be taken forward.

8.7 Employees may wish to invite their Trade Union to raise a matter on their behalf

How the Matter will be investigated

9.1 Allegations will be handled confidentially and discreetly by those who are directly involved in the investigating process.

9.2 Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. As outlined above, concerns or allegations which fall within the scope of specific procedures (for example disciplinary procedures) should normally be referred for consideration under those procedures.

9.3 Some concerns may be resolved by agreed action, once the employees concerns have been explained, without the need for investigation. In these cases confirmation will be sought from the employees that they are satisfied that the matter is resolved but they will be invited to raise the matter again if the agreed actions do not resolve the problem.

9.4 An employee expressing a concern will receive a formal acknowledgement within 10 working days of the concern being received. This acknowledgement will indicate: -

- How the Governing Body proposes to deal with the matter
- An estimate of how long it will take to provide a response
- Any initial enquiries that may have been made
- Whether further investigations will take place, and if not, why not

9.5 If necessary, further information will be sought from the employee. This will depend on the nature of the matters raised, the potential difficulties involved in conducting an investigation and the clarity of the information provided.

9.6 At any meeting arranged to discuss an employee's concerns the employee has the right, if they so wish, to be accompanied by their Trade Union representative or a friend who is not involved in the area to which the concern relates.

9.7 The Governing Body will take steps to minimise any difficulties that an employee may experience as a result of raising a concern. For example an employee is required to give evidence in criminal or disciplinary proceedings, the Governing Body will ensure that appropriate advice be provided to the employee about the procedures in terms of what will happen and what will be expected of them.

9.8 In order to assure the employee that the matter has been properly addressed the employee will receive information, subject to legal constraints, about the outcomes of any investigations.

Monitoring, Awareness and Training

10.1 The City Treasurer and the Chief Executive of Manchester City Council will be responsible for monitoring the effectiveness of the procedures outlined in this Guidance Note and for amending the procedures as necessary. The

Governing Body will ensure that all members of their staff are aware of the procedures and that any training needs are addressed (in consultation with the City Treasurer or Chief Executive if necessary) which may arise from the application of the procedures.

10.2 Raising awareness of the Whistle blowing Policy will form part of the induction training for all employees.

10.3 The governing body will maintain a confidential central record of all Whistle blowing allegations that have been raised, the responses provided and action taken. In respect of anonymous allegations, should the Governing Body consider that further action would be inappropriate, details of the allegation and reason for the decision will be recorded. These central records will be used to analyse the impact and effectiveness of the arrangements put in place as part of the process of reporting on the effectiveness and outcomes of the Policy and as a record of actions taken in the case of any matters raised under the Public Interest Disclosure Act.

How the Matter Can Be Taken Further

11.1 It is intended that the whistle-blowing policy and these procedures will enable governing bodies to deal satisfactorily with concerns raised by employees. If an employee is not satisfied, and feels it appropriate to take the issue further, the employee may make a protected disclosure to a third party, in accordance with the provisions of the Public Interest Disclosure Act 1998. There is an independent charity "Public Concern at Work" (telephone 0171 404 6609) which provides free advice to employees wishing to express concerns about fraud or other serious malpractices.

11.2 The Governing Body will make every effort to ensure that a satisfactory conclusion is reached to minimise the cases where the employee feels they must resort to these measures. Ultimately, however, the City Council does not wish to inhibit the effective investigation of any matters of concern that have been raised in the public interest.

Signed: Mr Matthew Cordwell (Assistant Head Teacher)

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