

St Mary's C of E Primary School



Whistleblowing policy

(Adopted from the Royal Borough of Kingston's Policy)

Committee responsible	CWC
Approval required by	CWC
Statutory or Recommended	Statutory
Frequency of review	1 Year
Date approved	December 2023
Date of next review	December 2024
Display on website	Yes
Link with other policies	Safeguarding Reporting Low Level safeguarding concerns
Signed by the Chair of Governors:	Jack Foster
Signed by the Headteacher:	Emmeline Lawlor

St Mary's Primary School, Church Lane, Chessington, KT9 2DH
<https://www.stmaryschessington.co.uk>

Introduction

St Mary's C of E Primary School and Nursery is committed to having a policy that is aligned with the Royal Borough of Kingston Council's procedure, which specifically identifies those who work in a school. Consequently, the school policy is based closely on the LA's and adapted, as necessary, to accommodate the requirements of our school.

What is Whistleblowing?

Someone blows the whistle when they tell someone in authority about a dangerous or illegal activity that they are aware of through their work. This can include health and safety risks, environmental issues, fraud, poor standards of care and other problems.

Why is Whistleblowing important?

The Council is committed to high quality services and being open, fair and honest. Managers have a duty to prevent dangerous or illegal actions at work. All staff, including those who work for a contractor or agency, have an important part to play. Often it is only through whistleblowing that information comes to light.

Why does the Council need a Whistleblowing procedure?

This procedure:

- Supports the Public Interest Disclosure Act.
- Gives you a way of raising concerns in a structured and supportive environment within the Council.
- Means that you can feel confident to bring up genuinely held concerns without fear of recrimination.
- Shows the Council's commitment to investigating and taking firm management action where wrongdoing may be proven.
- Encourages and enables you to raise concerns within RBK rather than overlooking problems or "blowing the whistle" outside the Council.

Who can use the Council's whistleblowing procedure?

- All staff, whether full time or part time, permanent or temporary
- Councillors
- All staff working in schools (including volunteers and students)
- Contractors working for the Council on Council premises e.g. agency workers, builders or maintenance contractors
- External contractors and those providing services under a contract with the Council in their own premises e.g. care homes
- Parents or carers

When should I raise a concern?

You should raise a concern if you find out about activities that harm, or at risk of harming, pupils, colleagues or associate staff. These may include:

- Illegal activities
- Miscarriages of justice
- Risks to health and safety
- Damage to the environment



- Misuse of public funds
- Fraud and corruption
- Abuse of clients
- Other wrongdoing, (including attempts to cover up wrongdoing)

For example, you could raise a serious concern about service provision, the actions of officers, or the actions of others acting on behalf of the Council, which:

- Fall below the Council's standards of practice, including the Council's Code of Conduct for Employees
- Are against the Council's Standing Orders and policies
- Amount to improper conduct

How does this procedure fit with the Council's other procedures?

The whistleblowing procedure is about concerns regarding the public interest. If you are concerned about an issue relating to your personal position at work, you should use the Grievance procedure or another Human Resources procedure.

Role of Trade Unions

The whistleblowing procedure has been developed in consultation with Staff Side Representatives and Teachers' Professional Associations and has their full support. Your trade union will advise you on raising concerns and/or support you in doing so, as appropriate.

The Process

Who do I tell?

If you are a member of staff:

You should raise any concerns with the Headteacher. But if you feel unable to do so or you are concerned about something serious, you may approach the Chair of Governors, Director of Learning and Children's Services, the Chief Executive or the Assistant Director of Finance – Audit if you suspect fraud or corruption. You can raise a concern by talking to someone or writing to them.

If you work for an agency or are a temporary worker:

You should raise any concerns with your line manager. But if you feel unable to do so or you are concerned about something serious, you may approach a senior manager, your Head of Service, Director or the Chief Executive. You can raise a concern by talking to someone or writing to them.

Is there any support available for me?

You can get the support of a staff representative, who may accompany you when raising a concern. Remember that by speaking up, it is not up to you to prove your concerns. However, you should be prepared to give the background and the reasons why you feel particularly troubled.

What happens next?

We will look into your concern to see what should happen. This may involve:

- An internal investigation
- An external auditor
- An independent inquiry
- The police

We will normally write to you within 10 working days of receiving your concerns. We will list them, tell you who is handling the matter, how you can contact them and whether we need your further help. We will also tell you where to get support if you need it.

What happens in an internal investigation?

If there is an internal investigation, a special investigations team will be set up. This team is responsible for gathering all relevant information and meeting with all relevant staff. The team may interview a number of staff. When they have finished their investigation, they must produce a report on their findings. The report is then considered by senior management. Based on the findings, management will then decide what further action to take.

This may include disciplinary action for anyone involved in any wrongdoing.

On the other hand, if the investigation finds that the concerns raised or allegations made by the person who has 'blown the whistle' are malicious, frivolous, or for personal gain, disciplinary action will be taken against them.

Depending on any legal restrictions on giving you information, we will let you know the outcome of any investigation.

Will I be involved in an investigation?

You may not want us to let people know that you have raised a concern. If we can investigate and resolve your concern without involving you, the Council will not involve you further. If we are not able to resolve the problem without telling someone else who you are, we will always talk to you first.

The Council encourages you to tell us who you are whenever possible as anonymous concerns are more difficult to investigate and the Council cannot protect your position or give you any feedback if we don't know who you are.

Will I get into trouble? And will anyone find out that I have 'blown the whistle'?

The school, in accordance with council procedure does not allow the harassment or victimisation of anyone who raises a genuine concern. Harassment may result in disciplinary action.

But there may be a situation where you want to tell us of your concern and not let anyone else know that you have. If we are not able to resolve the problem without telling someone else who you are, we will always talk to you first.

Where can I find out more?

You can find out more information on the Council's Whistleblowing Policy on the Council's website – www.kingston.gov.uk



What is the Public Interest Disclosure Act?

The Public Interest Disclosure Act provides workers with protection from dismissal or other damage as a result of making a disclosure of information in the public interest about wrongdoing at work. Such disclosures are protected if they are done according to the Act's provisions. Disclosures may be made to the employer, prescribed regulatory bodies or on a wider basis to the Police. The Act's protection is strongest where workers raise matters with their employers.

Telling other people confidential information

Giving out information about third parties to whom the Council owes a duty of confidence may not be protected under the Public Interest Disclosure Act. This may lead to disciplinary action. If you are in any doubt you should seek advice from your manager, union, lawyer or Public Concern at Work (020 7404 6609).

Who is responsible for this policy?

- The Governing Board, together with the Headteacher, are responsible for the policy in so much as it relates to the school.
- The Chief Executive / Head of Human Resources (Action HR) has overall responsibility for supervising the use of this Procedure.
- The Head of Legal Services, who is the Statutory Monitoring Officer, must in appropriate cases report to the Council on any proposal, decision, or omission by the Council, or any of its Panels or Committees, the Cabinet or officers which contravenes the law or causes maladministration or injustice.
- Managers must ensure that the Monitoring Officer is alerted in appropriate cases.

Where can I get independent advice about raising a concern?

You can talk to:

- Your union
- An independent legal advisor
- The Independent Charity, Public Concern at Work, telephone number: 020 7404 6609.

Their lawyers can give you free confidential advice on how to raise a concern about serious wrongdoing at work.

If you work for a company that has a contract with the Council:

You should raise any concerns with the Head of Strategic Services, telephone number: 020 8547 5175. But if you feel unable to do so or you are concerned about something serious, you may approach the Assistant Director of Finance – Audit, telephone number 020 8547 5660. You can also raise a concern by talking to someone or by writing to them at the following address: Royal Borough of Kingston Upon Thames, Guildhall 2, High Street, Kingston Upon Thames, KT1 1EU.