



URSULINE HIGH SCHOOL
Wimbledon

Whistle Blowing
Policy

May 2018

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1.0 INTRODUCTION

- 1.1 The Governors are committed to the provision of the highest quality services to its residents and to full accountability for those services. Whilst the Governors have in place rules, regulations, quality standards and procedures to ensure that the highest standards of conduct and commitment to service delivery are followed, irregularities, wrong-doing or serious failures in standards do sometimes occur. The Governing Body wants to identify and remove such malpractice in the performance of its services.
- 1.2 The greatest deterrent to malpractice or wrongdoing is the probability that it will be reported and investigated vigorously, that those who are responsible for it will be punished and that the matter will be promptly remedied. This Policy is therefore intended as a clear statement that any malpractice by members, employees or third parties (including contractors) reported to the Governors will be swiftly and thoroughly investigated. The Governors will also look at ways to ensure that such malpractice or wrongdoing can be prevented for the future.

2.0 AIMS AND SCOPE OF THE POLICY

- 2.1 This Policy provides all employees, agency workers, contractors including their staff with
 - avenues to raise concerns and receive feedback on any actions taken
 - reassurances that they will be protected from reprisals or victimisation for whistleblowing in good faith
- 2.2 Set out below is a list which is intended to illustrate the sorts of issues which may be considered as malpractice or wrongdoing and can be legitimately raised under this Whistleblowing Policy:
 - (a) any unlawful act, whether criminal or a breach of civil law, failure to comply with legal obligations or where a miscarriage of justice has occurred, is occurring or is likely to occur
 - (b) maladministration.
 - (c) breach of any statutory Code of Practice
 - (d) breach of, or failure to implement or comply with any policy determined by the Governing Body
 - (e) failure to comply with appropriate professional standards
 - (f) corruption or fraud including obtaining money (eg grants) without entitlement
 - (g) misuse of assets, including stores, equipment, vehicles, buildings, computer hardware and software

- (h) endangering the health and safety of any individual with actions which are likely to cause physical danger, or to give rise to a risk of significant damage to property
- (i) failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income, to the Governing Body or would otherwise seriously prejudice the Governors.
- (j) abuse of power, or the use of the Governors powers and authority for any unauthorised or ulterior purpose
- (k) unfair discrimination in employment or services
- (l) causing damage to the environment
- (m) deliberately concealing information in relation to any of the items on this list

2.3 This Whistleblowing Policy is intended to supplement, rather than to replace, the existing grievance procedures as laid down in the Personnel Manual whereby employees of the Ursuline High may already raise complaints or matters of genuine concern. It is therefore designed to provide a channel for those instances where the person reporting the matter feels that, for any reason, they cannot make use of those existing complaints procedures.

3.0 **EMPLOYEE CO-OPERATION AND SAFEGUARDS**

3.1 In many cases it is an employee of the School who is most likely to be in the best position to learn of any malpractice or wrongdoing within the Governing body and to identify something which falls below the standards which the Governing Body and its customers are entitled to expect. The Governors expect the fullest of co-operation of all its employees in securing the highest standards of service. This means that, where an employee of the School becomes aware of or suspect's malpractice, the Governing Body will expect them to report these suspicions. Where an employee fails to report their suspicions, they become themselves implicated in the wrongdoing, and the Governors will treat failure by an employee to report such matters as a serious matter.

3.2 This Policy statement has been discussed with the relevant trade unions and has their support.

3.3 The Governing Body will respect the confidentiality of any whistleblowing complaint received, where the complainant requests that confidentiality. However, it must be appreciated that it will be easier to follow up and to verify complaints if the complainant is prepared to give his/her name, and unsupported anonymous complaints and allegations will have to be treated with caution.

3.4 Any reporting system will be of little effect if those who should use it are afraid that, as the result of making their report, they may experience recriminations, victimisation or harassment. The Governors will therefore not tolerate any attempt on the part of any employee or member to take reprisals against any person who has reported a serious and genuine concern. The Governors will treat any such recriminations, victimisation or harassment by any employee or member of the Governing Body as a serious matter. Individuals may also have

statutory protection under the Public Interest Disclosure Act 1998, which aims to protect individuals who make certain disclosures of information in the public interest and who are then victimised in their employment.

- 3.5 The Governing Body is proud of its reputation for having the highest standards of probity. It will therefore ensure that the necessary resources are put into investigating any complaints which it receives. As a consequence of this it will view very seriously any false or malicious allegations which it receives, and will regard the making of any deliberately malicious or vexatious allegations by any employee or member of the Governing Body as a serious disciplinary offence.
- 3.6 The Whistleblowing Policy will be available to all staff. A hard copy will be available in the staffroom notice board. Other media maybe used to communicate with staff (eg newsletters) will also be used where appropriate.

4.0 HOW TO RAISE A CONCERN

- 4.1 It is envisaged that a Line Manager will be the first point of contact in the vast majority of cases. It will be their responsibility to initially investigate all matters reported to them promptly in accordance with the procedure notes issued.
- 4.2 It is, however, appreciated that there may be times when an employee of the School feels unable to use the above procedure, for example when the Whistleblower feels that their Line Manager may be involved in the malpractice. The Chair of the Governing Body will act as its Whistleblowing Officer, with the following remit:
- (a) to receive and record any complaints under this Policy
 - (b) to ensure the confidentiality of any whistleblowing complainant who requests that their complaint be treated in confidence
 - (c) to investigate promptly any whistle blowing complaint and to respond directly to the complainant, with a right of access to all members and employees of the School and to all documentation.
 - (d) to report to the appropriate LA officer/Governor where the investigation identifies a serious cause for concern within the responsibilities of that officer and to recommend the use of any relevant statutory powers or duties.
 - (e) to report as appropriate, to the Chair of Governors either jointly with the Corporate Director(s) concerned or in his own right, to the LA, the Executive and/or any Committee or Sub-Committee of the LA
 - (f) to recommend, in conjunction with Legal assistance, to settle appropriate action to resolve a complaint or recompense a complainant.
 - (g) to report every annually to the Governing Body on the number of concerns raised under this Whistleblowing Policy. Those matters raised which identify fraud or loss will be reported to the LA Internal Auditor on an annual basis.
- 4.3 It is better if concerns are raised in writing. This allows the opportunity to set out the background and history of the concern, giving names, dates and places

where possible, and the reason why the employee or member is particularly concerned about the situation.

- 4.4 It is anticipated that an employee will know the address to write to for their Line Manager, Headteacher or Chair of Governors
- 4.5 The Chair of Governors can be contacted by writing a letter in a sealed envelope marked Strictly Private and Confidential, addressed to:

Ms Claire Thorogood
Chair of Governors
C/o Ursuline High School
Crescent Road
Wimbledon
London
SW20 8HA

5.0 HOW THE GOVERNORS WILL RESPOND

- 5.1 In order to protect both individuals and the Governors, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example child protection or discrimination issues) will normally be referred for separate consideration under those procedures.
- 5.2 Some concerns may be resolved by agreed action without the need for detailed investigation.
- 5.3 Within 10 working days of a concern being received, the Chair of Governors will write to the whistleblower:
 - acknowledging that the concern has been received
 - indicating how it proposes to deal with the matter
 - giving an estimate of how long it will take to provide a final response
 - stating whether any initial enquiries have been made, and
 - state whether further investigations will take place, and if not, why not.
- 5.4 The amount of contact between the officers considering the issues and the whistleblower, will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the whistleblower.
- 5.5 When any meeting is arranged, the whistleblower has the right, if they so wish, to be accompanied by a Union or professional association representative or a friend who is not involved in the area of work to which the concern relates.
- 5.6 The Governors will take steps to minimise any difficulties which the whistleblower may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, the Governors where able, will provide advice about the procedure.
- 5.7 The Governing Body accepts the whistleblower needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, information about the outcomes of any investigations will be provided.