



THE ALTUS SCHOOL

# WHISTLEBLOWING POLICY

Date Approved: April 2024

Date of Review: April 2026

## **1. Introduction**

The Management Committee and Director are committed to delivering a high-quality education service to pupils and expect high standards from their staff and contractors. In order to maintain these high standards a culture of openness and accountability is vitally important. It expects employees, and others that it deals with, who have serious concerns about any aspect of the school's work, to come forward and voice those concerns. The phrase 'whistleblowing' in this policy refers to the disclosure internally or externally by employees of malpractice, as well as illegal acts or omissions at work. The aims of this policy are:

- to encourage staff to raise concerns about malpractice within the school without fear of reprisal
- to reassure staff that concerns will be taken seriously
- to provide information about how to raise concerns and explain how the school/Management Committee may respond.

Employees are often the first to realise that there may be something wrong within the school. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation and it may be easier, therefore, to ignore the concern rather than report what may just be a suspicion of malpractice.

This policy makes it clear that employees can report, in a confidential manner, their concerns without fear of victimisation, subsequent discrimination or disadvantage and is intended to encourage and enable serious concerns to be raised with the school, rather than overlooking a problem or 'blowing the whistle' outside. It is stressed that under the Public Interest Disclosure Act 1998, employees of the school who, in the public interest, speak out against corruption or malpractice at work have statutory protection against victimisation and dismissal.

## **2. Policy Scope**

This policy applies to all Altus School employees and volunteers, agency staff and staff contracted to work in school. Concerns from parents and pupils should fall under the school's complaints procedure or, if regarding an allegation of abuse or neglect against a member of staff, under the school's Allegations of Abuse Against Staff policy.

This policy aims to:

- Encourage employees to feel confident in raising serious concerns in those cases where they do not wish to use the normal reporting routes within their service area
- Provide alternative avenues for raising concerns
- Ensure that responses to concerns are made
- To reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have raised a concern in the public interest.

There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. This policy is intended to cover concerns that fall outside the scope of other policies and include:

- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees (where the concerns raised have not been addressed through normal departmental procedures)
- Damage to the environment
- The unauthorised use of public funds including fraud, corruption and financial maladministration
- The physical, emotional or sexual abuse of pupils or staff
- Other unethical or unprofessional conduct
- Notification of any suspicions of price-fixing cartels providing services/goods to the school
- Lack of safer recruitment processes
- Deliberate concealment of information relating to any of the above

The school fully understands that employees who are members of a trade union recognised by the school may, in the first instance, wish to seek advice and guidance from their union on the application of this policy.

Any serious concerns that employees have about any aspect of service provision, or the conduct of employees or members of the Management Committee, school or others acting on behalf of the Management Committee or school can be reported under this policy. This may be about something that:

- Makes an employee feel uncomfortable in terms of apparent non-adherence to known standards
- Appears to be contrary to the requirements of the School's Code of Conduct

- Falls below established standards of practice
- May amount to improper conduct
- Appears to be an attempt to mislead.

### **3. Safeguards: harassment or victimisation**

The school recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from the person(s) who is the subject of the complaint. However, if employees believe that what they raise as a concern to be the truth and in the public interest they should be confident that they are fulfilling their duty to their employer and those for whom they are providing a service.

The school will not tolerate any form of sexual, racial or general harassment or victimisation and will take appropriate action to protect employees, when they raise a concern in the public interest, from suffering a detriment (including bullying or harassment) either from the employer or from co-workers.

Any investigation under this policy into allegations of potential malpractice will be dealt with separately to any grievance, disciplinary or redundancy procedure concerning an employee. Equally, any investigation will not be influenced by any such procedures involving an employee. However, the outcome of the investigation may lead to action under other school policies.

### **4. Confidentiality**

All concerns will be treated in confidence and every effort will be made to protect an employee's identity if that is their wish. However, this cannot be guaranteed if, say, following an investigation a case is taken to Court, where the employee may need to be called as a witness.

### **5. Anonymous allegations**

In order to ensure that employees receive protection of the Public Interest Disclosure Act 1998 employees should put their name to their allegation. Concerns expressed anonymously are sometimes less credible. Anonymous concerns and allegations, whether made to the Director or Management Committee, will therefore be investigated at the discretion of the school.

In exercising this discretion the factors to be taken into account would include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources' factual evidence.

## **6. Untrue Allegations**

If an employee makes an allegation in the public interest, but it is not confirmed by the investigation, no action will be taken against them. If, however, the allegation is frivolous, malicious or for personal gain, disciplinary action may be taken against them.

## **7. How to raise a concern**

Employees who wish to raise a serious concern should do so verbally or in writing (marked 'Confidential') to the Director or Chair of the Management Committee.

There will be some cases where it is not appropriate to raise concerns with the Director, for example where an employee suspects the Director already knows about the malpractice or where they suspect the Director may be involved. In those cases, the employee should report their concerns to the Management Committee, or in the case of an allegation of abuse or neglect of a child by a member of staff, they can raise it directly with the Local Authority Designated Officer (LADO) – see Safeguarding Policy for details. Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

Alternatively, the concern can be raised by writing to Monitoring Officer, Gloucestershire County Council, Shire Hall, Gloucester, GL1 2TZ. The online Whistleblowing Allegation form can be completed, which will go directly to the Monitoring Officer.

In addition, employees may wish to use the Council's 24 hour "whistleblowing" answerphone service on Gloucester 01452 427052 to report any concern relating to possible fraud, corruption, conduct or mal-practice/administration.

Employees who wish to make a written statement/report are invited to set out:

- Background and history of the concern

- Relevant dates, person involved
- Details of supporting evidence.

Although employees are not expected to prove an allegation they will need to demonstrate that the disclosure is in the public interest.

## **8. How the School will respond**

In all cases in order to protect individuals and those involved in the concern, 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 school will take into account is public interest; however, there is a zero tolerance attitude to any fraudulent activity. Concerns or allegations which fall within the scope of specific policies (for example, child protection) will normally be referred for consideration under those policies.

Within 10 working days of a concern being raised, the employee will be contacted at their private address:

- Acknowledging that the concern has been received
- Indicating how it is proposed to deal with the matter
- Telling the employee whether any initial enquiries have been made
- Telling the employee whether further investigations will take place and, if not, why not.

Allegations reported to the school will normally be investigated by the Director/Management Committee. However, in some circumstances, sometimes to avoid contaminating evidence which may then go to a criminal investigation, they may decide to involve external investigators.

The Monitoring Officer will arrange investigation of allegations reported to the Council. The Monitoring Officer will respond to such concerns and, where appropriate, the matters raised may be:

- Investigated by school management, Internal Audit
- Referred to the Police
- Referred to the District Auditor
- The subject of an independent enquiry.

The school's Conduct policy will be referred to, where the outcome of an investigation indicates improper behaviour by an employee.

A representative of a trade union recognised by the school or work place colleague may accompany an employee during any stage of an investigation conducted under this policy.

The school will take steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, where an employee is required to give evidence in criminal or disciplinary proceedings the school will arrange for them to receive advice about the procedures involved.

The school accepts that employees need to be assured that matters of concern have been properly addressed and, therefore, subject to legal constraints, employees will be informed of the outcome of any investigation.

Whenever possible, the school will give feedback on the outcome of any investigation. However, the School may not be able to tell the whistleblower about the precise actions it takes where this would infringe a duty of confidence the school owe to another person. If a concern has been raised anonymously, the school will not be able to write to the whistleblower. While the school cannot guarantee that it will respond to all matters in the way that the employee might wish, it will strive to handle the matter fairly and properly.

## **9. Further Action**

This policy is intended to assist employees who wish to raise concerns within the school and it is hoped that employees will be satisfied with any action taken. However, if they are not, and they feel it is right to take the matter outside the School, the following organisations are possible contact points:

Health & Safety Executive	Tel: 0300 003 1647
Environment Agency	Tel: 03708 506 506 Website: Environment Agency
External Auditors	The Financial Conduct Authority/Prudential Regulation Authority
Dept for Work and Pensions	Tel: 0800 854 440
Serious Fraud Office	Website: Reporting serious fraud, bribery or corruption
HMRC	Tel: 0800 788 887 Website: Reporting Tax Evasion

Police	Tel: 101 or in an emergency telephone 999
Public Concern at Work	Tel: 0207 404 6609
Ofsted	Complaints about schools and childminders <a href="https://www.gov.uk/complain-about-school">https://www.gov.uk/complain-about-school</a>

The matter may be raised directly with the Local Authority Designated Officer (LADO), if the matter concerns a potential safeguarding/child abuse issue. It should be noted that in cases of abuse or neglect of a child, if an employee fails to report a concern and it later comes to light that they were aware of information which could have protected a child, it is possible that disciplinary action could be taken against them under Section 175 of the Education Act 2002.

If employees do decide to take the matter outside the School, they must ensure that they do not disclose to a third party any School confidential information. If employees are in any doubt, they are strongly advised to seek confidential advice before taking any action to ensure that they are not putting themselves in a vulnerable position.

#### **10. How is this policy reviewed?**

The Management Committee have overall responsibility for the operation of this policy. This policy has to be formally adopted by the Management Committee and will be reviewed biannually.