

FULLBROOK



A Specialist Maths & Computing College

Public Interest Disclosure (Whistle Blowing)

1. INTRODUCTION

Fullbrook is committed to high standards in management and governance and wishes to promote a culture of openness and a shared sense of integrity. Therefore any cause for concern in respect of issues relating to fraud, malpractice or illegal or unethical conduct connected with the workplace must be tackled. In most cases this would be done through normal management procedures. However, the Committee on Standards in Public Life recommends that all public spending bodies introduce codes of practice on “whistleblowing”.

Whistleblowing can be defined as the disclosure of confidential information which relates to some danger, fraud or illegal or unethical conduct connected with the workplace.

2. PURPOSE

The purpose of this policy and accompanying procedure is to encourage governors, staff and students to inform senior management if they are concerned about serious or suspected malpractice so that it can be investigated.

It is not a mechanism to tackle grievances about an individual’s employment situation, to further a private dispute or generally question financial or business decisions taken by the school unless it is connected to the definition above in paragraph 1. It may not be used to consider any matter which should be addressed using an alternative procedure, eg Disciplinary, Grievance, Complaints etc.

Serious malpractice may be defined as:

- Acting contrary to any code of ethics
- Bribery
- Corruption
- Creating or ignoring a serious risk to health and safety
- Criminal Activity
- Discrimination of any kind
- Dishonesty
- Endangering the welfare and safety of children & vulnerable adults
- Failing to comply with a known legal obligation
- Fraud
- Financial irregularities
- Miscarriage of Justice

- Damage to the environment.
- Evidence of academic or professional malpractice.
- Failure of an individual/s to disclose a serious conflict of interest.
- Attempts to suppress or conceal information relating to any of the above.

3. PUBLIC INTEREST DISCLOSURE ACT 1998

The school will not tolerate harassment or victimisation of anyone raising a concern in good faith whether or not it is proven and will call upon the provisions of the Public Interest Disclosure Act 1998, which protects those who disclose information in the correct manner and will apply to individuals who are:

- Agency Staff
- Employed under a contract of employment
- Employed under any other contract
- Governors
- Students
- Volunteers
- Work Experience Trainees

(A member of staff who is also a governor will qualify for protection under the provisions of this policy).

3.1 Protected grounds for disclosure: To qualify for protection for disclosure you must:

- Be acting in good faith
- Have reasonable grounds for believing the information disclosed indicates the existence of one of the problems listed in paragraph 2

3.2 In making a disclosure you must do so in the belief that it shows one or more of the following:

- That a criminal offence has been committed or is being committed
- That a person has failed or is failing to comply with any legal obligations, which s/he is subject to
- That a miscarriage of justice has occurred
- That the health and safety of an individual or group has been, is being or is likely to be put at risk [This must indicate a greater danger or risk than is normally associated with the event]
- That information falling within any one of the preceding paragraphs has been or is being deliberately concealed

3.3 The Act protects you if:

- You have previously raised the matter with the employer

- You have not done so because of a reasonable fear of being penalised, that evidence would be concealed or destroyed and there is no regulatory body by which genuine concerns can be expressed

3.4 It does not protect you if you make deliberately false or malicious accusations

3.5 Such accusations may render you liable to disciplinary action.

4. ANONYMOUS ALLEGATIONS

4.1 This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less powerful, but they will nonetheless be considered.

4.2 In considering the matter the factors to be taken into account will include the seriousness of the issues raised; the credibility of the concern; and the likelihood of confirming the allegation from alternative credible sources.

5. DISCLOSURES

5.1 It is important that all disclosures under the Whistleblowing procedure should be made to the appropriate person or organisation being either:

- The Principal
- The Chair or Vice Chair of Governors (if the disclosure implicates the Principal). In this circumstance the Chair of Governors can be Emailed confidentially at: chairofgovernors@fullbrook.surrey.sch.uk
- The Academy's statutory auditors
- Local Education Office

5.2 Disclosures under the Whistleblowing procedure will usually be investigated by a member of the Senior Leadership Team or Governing Body, as nominated by the Principal or Chairman of Governors as appropriate.

5.3 All disclosures will usually be treated in the strictest confidence. However, depending on the nature and seriousness of the complaint this may not always be possible and any decision to make the matter known more widely will only be taken after discussion with the complainant, if that is possible.

However confidence may have to be broken or further action taken without the consent of complainant for issues for example safeguarding, child protection and crimes of a serious nature.

6. REVIEW OF POLICY AND PROCEDURE

6.1 The school will review this policy and procedure on a regular basis in accordance with legislative developments and good practice guidelines

6.2 Details of allegations and the outcomes will be registered by the Clerk to the Governing Body and retained in a confidential file for five years, after which time they will be destroyed, unless the allegation and outcome is against the Clerk when it should be retained by the Principal. The purpose of this is to ensure that a central record is maintained that can be cross referenced to other complaints to monitor

any patterns of concern and assist the school to review the effectiveness of his procedures.