Public Interest Disclosure (Whistleblowing) Policy 2019 (incorporating Anti-Bribery Statement)

This model policy is applicable to all community and voluntary controlled schools (where WCC is the employer) and voluntary aided, foundation and academy schools participating in the Warwickshire Consultation Framework.

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Public Interest Disclosure (Whistleblowing) Policy (incorporating Anti-Bribery Statement)

1. Introduction

1.1 It is important that any alleged fraud, misconduct or wrongdoing by its employees or officers is reported and properly dealt with. All staff are encouraged to raise any genuine concerns that they may have about a risk, malpractice or wrongdoing at work which may affect students, the public and staff at the earliest reasonable opportunity.

1.2 The aim of this Policy is to:

i. provide an opportunity for employees to raise genuine concerns internally and receive feedback on any action taken including indicating how the matter can be taken further if there is dissatisfaction with the governing body response;

ii. reassure those reporting concerns that they will be protected from reprisals or victimisation for confidential reporting (see Appendix 1, paragraph 7.2 for a further explanation of the meaning of confidential) ;

iii. put in place relevant support measures for individuals using the reporting procedures.

1.3 The objective of this Policy is the facilitation of this aim. By providing suitable arrangements and undertakings, individuals will feel confident that raising a concern is the right decision and that they will not experience any victimisation as a result of making a disclosure. This Policy therefore sets out the way in which individuals may raise any concerns that they have and how those concerns will be investigated and dealt with in a timely and effective manner.

1.4 This Policy has been approved by recognised trade unions and has been the subject of consultation with them.

1.5 This Policy contains an anti-bribery statement at Appendix 4. Employees and associated persons (as defined in the statement) are expected to report any concerns regarding suspected bribery in accordance with the schools' whistleblowing procedures contained in Appendix 4 of this Policy.

2. Definitions

2.1 'Employee' means any person who has entered into and works under a contract of employment undertaking to do or perform personally any work or service for the school, other than a person who is genuinely self-employed;

2.2 'Worker' means any person who can be defined as an employee or who may be under a contractual obligation to a third party to undertake work or service for the school. NB any individual who is engaged to work in a school as a volunteer is expected to comply with this policy as appropriate.

2.3 'Detrimental treatment' includes being disadvantaged, unfairly penalised, disciplined or subjected to any other detriment (including termination of the worker's contract, where he or she is not an employee). A worker has the right not to be subjected to any detriment by his or her employer done on the ground that he or she has made a protected disclosure. In addition, whistleblowers are protected from suffering a detriment, bullying or harassment from another worker;

2.4 'Protected disclosure' means the same as a 'qualifying disclosure';

2.5 'Qualifying disclosure' means a disclosure which is made in the public interest by a worker who has a reasonable belief that:

i. a criminal offence;

ii. a miscarriage of justice;

iii. an act creating risk to health and safety;

iv. an act causing damage to the environment;

v. a breach of any other legal obligation; or

vi. concealment of any of the above;

is being, has been, or is likely to be, committed.

2.6 'Whistleblowing' means the making of a protected disclosure which in the reasonable belief of the worker tends to show the type of conduct set out at 6.10 below. The school's preference is for such matters to be raised confidentially within the school in accordance with the provisions of this Policy. Such conduct will also include any illegal, immoral, irregular, dangerous or unethical activity under their employer's control. This can cover a broad range of matters, including mismanagement, bribery, fraud and health and safety failures.

2.7 For safeguarding purposes, whistleblowing is defined in statutory guidance *Keeping Children Safe in Education (DfE 2019)* as follows:

'*All staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the school or college's safeguarding regime and know that such concerns will be taken seriously by the senior leadership team.*

Appropriate whistleblowing procedures should be put in place for such concerns to be raised with the school or college's senior leadership team.'

3. Related Policies and Documents

3.5 Financial Regulations;

3.6 Internet and Social Media Policy;

3.8 Staff Disciplinary Policy;

3.9 Staff Grievance Policy;

3.10 Safeguarding and Child Protection Policy;

3.11 Capability Policy (Teacher and Support staff versions);

3.12 Teacher Appraisal Policy;

3.13 Staff Behaviour (Code of Conduct) Policy

3.14 Other policies and documents may be identified from time to time as circumstances change and may be added to this list.

4. Rationale

4.1 The School is committed to the highest possible standards of openness, probity and accountability and to tackling wrongdoing. In line with that commitment the school encourages all of its employees/workers with serious concerns about any aspect of school work to use the Policy to raise those concerns which will be given due consideration and dealt with in an appropriate manner as provided by the legislation in this area and this Policy.

4.2 Whistleblowing is important as it encourages openness, transparency and public integrity. It is also important in respect of safeguarding health and safety and protecting against bribery and corruption.

4.3 Implementing good practice in the context of whistleblowing will help the school to comply with the legislation by protecting employees from dismissal and detriment short of dismissal for making a protected disclosure.

4.4 Whistleblowing is also critical to quality control, risk management and good governance. It can benefit the school by the provision of information about problems within the organisation. Employees are often in the best position to know about malpractice within an organisation.

4.5 Good practice can encourage employees to make a report about wrongdoing to their employer rather than to a third party. Where an individual makes an internal disclosure, this gives the employer the chance to deal with the matter before it escalates, thereby helping to avoid an embarrassing external disclosure.

4.6 Having effective arrangements for reporting concerns about wrongdoing is therefore likely to encourage the supply of information about organisational problems, deter external disclosures and help the school to demonstrate that it has adequate procedures in place should it be investigated for bribery.

5. Scope of the Policy

5.1 This Policy has been adopted by the school and applies to all employees and officers of the organisation including volunteers. Other individuals performing functions in relation to the organisation, such as agency workers and contractors, are encouraged to use it.

5.2 It is not necessary for an employee or individual to have proof that such an alleged act is being, has been, or is likely to be, committed, a reasonable belief is sufficient. An employee has no responsibility for investigating the matter it is the responsibility of the governing body to ensure that an investigation takes place.

5.3 An employee who makes a protected disclosure has the right not to be dismissed or to be subjected to any other detriment or victimised, because he/she has made a disclosure.

5.4 The school encourages employees to raise their concerns using the procedures set out in this Policy in the first instance. If an employee is not sure whether or not to raise a concern, he/she should discuss the issue with his/her immediate line manager.

5.5 This Policy should not be used to raise issues relating to employment terms and conditions . The school has procedures in place by which grievances relating to employment can be lodged or a complaint may be made under the bullying and harassment procedures. Equally, there are also complaints and disciplinary policies in place. Employees should be aware that if they decide to raise a concern related to their own employment at an Employment Tribunal, they will be required to raise this as a grievance with their employer in the first instance.

6. Core Principles

6.1 Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Employees should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

6.2 Any matter raised under the procedures contained within this Policy will be investigated thoroughly, promptly and confidentially and the outcome of the investigation reported back to the employee who raised the issue subject to the limitations of confidentiality.

6.3 No employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the employer will not be prejudiced because he/she has raised a legitimate concern.

6.4 Victimisation of an employee for raising a qualified disclosure will be a disciplinary offence.

6.5 Maliciously making a false allegation will be a disciplinary offence i.e. unfounded allegations where there is no supporting proof and no evidence that shows that the matter actually occurred and that it was made in a way which is motivated by wrongful, vicious, or mischievous purposes.

6.6 An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, an employee should not agree to remain silent.

6.7 If misconduct is discovered as a result of any investigation under the procedures contained within this Policy, schools' disciplinary procedure will be used, in addition to any appropriate external measures.

6.8 The confidential reporting procedure is intended primarily to cover concerns that fall outside the scope of other procedures and in some instances to provide a clear and speedy route for investigation of issues that may inform the disciplinary procedure.

6.9 Any employee who makes an allegation that turns out to be unfounded will not be penalised for being genuinely mistaken; if, however, the allegation is proven to have been made with malicious intent, as defined above in 6.5, then it should be understood that this is a disciplinary offence.

6.10 Particular instances of misconduct or wrongdoing may relate to:

i. any unlawful act, whether criminal or a breach of civil law;

ii. maladministration, as defined by the Local Government Ombudsman;

iii. breach of any statutory Code of Practice;

iv. breach of, or failure to implement or comply with the Financial Regulations or Standing Orders;

v. breach of contract;

vi. any failure to comply with appropriate professional standards;

vii. fraud, corruption, dishonesty or the abuse of public funds;

viii. actions which are likely to cause physical danger to any person, or to give rise to a risk of significant damage to property;

ix. sexual, physical or emotional abuse or neglect of pupils

x. sexual, physical or emotional abuse of members of staff;

xi. any breach of the school's Staff Behaviour (Code of Conduct) policy

xii. loss of income to the school;

xiii. abuse of power, or the use of the school powers and authority for any unauthorised or ulterior purpose;

xiv. discrimination in employment or in the provision of education;

xv. any other matter which cannot be raised under any other procedure;

xvi. an attempt to cover up any of the above.

6.11 The above list is not exhaustive and further advice can be taken from Public Concern at Work, (see Appendix 1 paragraph 7.5) if an employee is unclear as to whether the use of this Policy is appropriate to their particular circumstances.

6.12 Where an employee wishes to make a disclosure about possible misconduct by a colleague, Manager or Headteacher, or about a health and safety issue, they should follow the procedures laid down in Appendix 1 to this Policy.

6.13 Safeguarding and promoting welfare of children is paramount. All members of staff and volunteers should be aware of the school/setting's child protection and safeguarding procedures, including procedures for dealing with allegations against staff, volunteers and other adults that work with pupils/students.

6.14 All staff and volunteers should feel able to raise concerns about any poor or unsafe practice and any potential failure in the school/setting's safeguarding regime and have confidence that any such concerns will be taken seriously by the Headteacher/Principal.

6.15 To that end, staff and volunteers have a duty to report any concerns as in ix, x and xi in the list at 6.10 above to the Headteacher/Principal without delay in line with the school/setting's child protection and safeguarding procedures*.

6.16 That duty is not restricted to but includes specific allegations being made or incidents being witnessed, by any person, of abuse perpetrated by any member of staff, volunteer or other adult who works with children and young people.

6.17 The recommended format for all staff in schools to record any such poor practice or possible child abuse by colleagues or other adults who work with children is the pro forma 'Logging A Concern about the behaviour of an adult who works with children', also known as the 'Yellow form'. All such forms should be passed directly to the Headteacher. Alternatively, staff are free to approach the Headteacher directly to discuss their concerns.

6.18 In the event of any allegation being made to a member of staff or volunteer other than the Headteacher/Principal, information should be clearly and promptly recorded and reported to the Headteacher/Principal without delay.

6.19 All specific allegations of abuse and concerns as in ix, x and xi in the list at 6.10 above must be taken seriously and properly investigated in accordance with school and Warwickshire Safeguarding Children Board procedures and statutory guidance. Staff who are the subject of allegations are advised to contact their professional association or Trade Union.

6.20 It is essential that accurate and comprehensive records are maintained wherever concerns are raised about the conduct or actions of adults working with or on behalf of pupils/students.

6.21 * In the event of any member of staff or volunteer having concerns about the Headteacher/Principal abusing a child or breaching the Staff Behaviour (Code of Conduct) policy, they should contact the Chair of Governors without delay. Alternatively, staff and volunteers are free to contact the Designated Officer in the Local Authority or the Education Safeguarding Manager to discuss their concerns.

7. Equality Analysis

7.1 By virtue of the provisions of the Equality Act 2010, the school has a duty to have due regard to the need to:

i. eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct;

ii. advance equality of opportunity between people of different groups;

iii. foster good relations between people from different groups.

7.2 In implementing this Policy and associated procedures, the school will actively take these aims into account as part of its decision making process and will demonstrate how this has been undertaken.

7.3 Where necessary a full equality impact assessment will be undertaken.

8. Improving the well-being of Children

8.1 In implementing this Policy the school will ensure that it fulfils the requirements of the Children Act 1989, the Children Act 2004 and the Education Act 2002 to improve the well-being of children. The school aims to ensure that all its pupils, whatever their background or their circumstances, have the support they need to fulfil their potential and achieve positive outcomes.

9. Implementation, Monitoring and Review

9.1 The Governing Body and Headteacher have responsibility for this Policy and for ensuring that:

i. appropriate procedures are in place and are implemented;

ii. any concerns and any action taken are reported to the Chair of Governors; and

iii. all school employees are aware of their rights and duties under the Public Interest Disclosure Act.

9.2 The Governing Body has overall responsibility for this Policy and for monitoring and evaluating its implementation and impact.

9.3 The Chair of Governors will report to the Governing Body at the first meeting of the Committee of each academic year whether any disclosures were made under the procedures appended to this report during the previous year.

9.4 At the end of the investigation, the Chair of Governors will, as far as is possible and with due regard to third party rights, inform the employee making the allegation of the outcome. If the decision is that no action be taken, the reasons for this decision will be made known to the employee making the allegation.

Community and Voluntary Controlled Schools

9.5 ***Only*** *applicable where Warwickshire County Council is the employer*:

If the employee making the allegation is not satisfied with the decision and wishes to appeal the outcome or where members of staff, or individual governors, have concerns relating to the conduct of the Governing Body and/or the Senior Management of the school, and where it would be unreasonable to raise these concerns within the school, the nominated Director of Children Services (DCS) postholder or the Head of Service for Education & Learning (or his or her nominee) should be contacted.

9.6 In addition to the above involvement of Warwickshire County Council, the Local Authority does have statutory powers of intervention under the Education Act 2006 in all maintained schools (including Foundation and Voluntary Aided schools where WCC is not the employer). However, these powers are limited to quite specific conditions as set out in the statutory guidance for Schools Causing Concern, see link for further information:

https://www.gov.uk/government/publications/schools-causing-concern--2

9.7 This Policy will be reviewed every three years and updated, as applicable, to ensure that it remains appropriate in the light of any relevant changes to the law, organisational policies or contractual obligations.

Appendix 1

Confidential Reporting Procedures

1. Disclosure

1.1 Any employee knowing or suspecting that another employee, a contractor or any other person connected with the school is responsible for malpractice or misconduct as outlined in paragraphs 6.10. 6.12 and 6.14 of this Policy, must use the procedures set out in this appendix.

1.2 Under no circumstances should an employee suspecting malpractice or misconduct inappropriately make the matter public; such an action may itself be considered to be misconduct and expose the employee concerned to disciplinary action.

1.3 The preferred procedure to be followed is to contact the immediate line manager, Headteacher or Chair, possibly via another member of staff or their trade union representative and arrange a meeting. The Model Whistleblowing Form (Appendix 3) Model Whistleblowing Form may be used.

1.4 If the allegation concerns the Headteacher, the employee should contact the Chair of Governors.

1.5 Different procedures cover allegations of abuse of children, young people and vulnerable adults and should be used in such cases, including initially reporting all allegations that fulfil the criteria for reporting to the Designated Officer in the Local Authority (also known as the LADO), as follows:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child; or
- behaved towards a child or children in a way that indicates he or she would pose a risk of harm to children.

1.6 All communications between the employee making the allegation and the school on the subject of the allegation will be to the employee's home address, unless otherwise agreed with the employee.

1.7 Model Whistleblowing Form:

i. The legislation protecting individuals who make a protected disclosure applies not only to employees but also to any person who undertakes to do or perform personally (or otherwise) any work or service for the employer, regardless of the nature of the contractual relationship between them.

ii. While there is no set method through which an employee must make a protected disclosure, it is good practice to provide a form for him or her to set out the disclosure. This allows the school to identify an issue as a formal public interest disclosure before invoking its whistleblowing procedure.

iii. The form also has the advantage of prompting an employee to provide details of his or her concerns, such as examples of the dates and times of when the wrongdoing is alleged to have taken place, and what action the employee would like to see taken. The form may also prompt the employee to think about whether or not the issue is serious enough to warrant invoking the whistleblowing procedure in the first place and allow the school to distinguish between a genuine public interest disclosure and a personal grievance that would be better dealt with under its grievance procedure.

iv. The form is also designed to allay any concerns that the employee may have that individuals implicated in the wrongdoing, (for example, his or her line manager) will be involved in the investigation.

2. Initial Interview

2.1 The Headteacher (or Chair of Governors where the allegation concerns the Headteacher) will arrange an interview with the employee making the allegation. The interview will be arranged at a time and place which will ensure confidentiality and may therefore be held away from the premises.

2.2 Where the employee making the allegation agrees, this interview will take place in the presence of a witness. The employee may be accompanied by a work colleague or their trade union representative.

2.3 The Chair of Governors will take a full note of the allegation. The Chair of Governors will provide the employee making the allegation a copy of the note within five clear working days of the interview. The Chair of Governors will invite the employee making the allegation to clarify any matter or record a disagreement with the note. The Chair of Governors will then ask the employee making the allegation to sign a copy of the note and return it.

2.4 Within five clear working days of the interview the Chair of Governors, will write to the employee making the allegation:

i. acknowledging that the allegation has been received;

ii. providing the note of the initial interview;

iii. giving an estimate of how long it will take to provide a final response;

iv. outlining whether any initial enquiries have been made;

v. clarifying whether further investigations will take place, and, if not, why not;

vi. where an investigation is to be made, indicating how it will be dealt with and where possible who the investigating officer will be.

3. Investigation

3.1 Where there appears to be some substance in the disclosure, the Chair of Governors will arrange an investigation into the allegation, except where:

i. the disclosure suggests criminal activity may be involved, in which case paragraph 4.1.i of this procedure will apply;

ii. the allegation concerns weak management rather than malpractice. In this case, with the agreement of the employee making the allegation, the Chair of Governors will report the matter to the Headteacher and will inform the employee making the allegation that the matter will be handled through the normal line management structure. If the allegation concerns the Headteacher, the Chair of Governors will undertake the investigation. If the allegation concerns the Chair the Vice Chair should attempt to investigate in the first instance so a school response can be given to the matter. The Vice Chair should seek guidance from their HR provider.

3.2 The nature of the investigation will depend on the type of allegation i.e. police matter (with potential criminal allegations) or internal safeguarding/conduct matter. The Chair of Governors will be advised of the approach to match these circumstances as a consideration of the timings may be necessary. For example if there were a police investigation this might need to be concluded before an internal investigation commences. Once the investigation is able to proceed the Chair of Governors should seek guidance from their HR Provider.

3.3 The Chair of Governors may, at his/her discretion seek an external auditor (or appropriately trained or experienced professional) to conduct the investigation.

3.4 In some cases the Chair of Governors may consider it appropriate to suspend the employee, who may be the subject of allegations 'without prejudice' to allow the impunity of the evidence being investigated or there is a possible risk of harm to children posed by an accused person needs, which needs to be effectively evaluated and managed in respect of the child(ren) involved in the allegations. **Suspension must not be an automatic response when an allegation is reported.** If the school

is concerned about the welfare of other children in the community or the teacher's family, those concerns should be reported to the LADO or police but suspension is highly unlikely to be justified on the basis of such concerns alone.

Suspension should only be considered in a case where there is cause to suspect a child or other children at the school is or are at risk of significant harm, or the allegation warrants investigation by the police, or is so serious that it might be grounds for dismissal. However, a person should not be suspended automatically, or without careful thought being given to the particular circumstances of the case. Schools must consider carefully whether the circumstances of the case warrant a person being suspended from contact with children at the school until the allegation is resolved, and should seek advice from their HR provider.

4. Action

4.1 Where the investigation shows there is a prima facie case for taking some action, the following will apply:

i. if the Chair of Governors suspects that a criminal offence has taken place, he/she will inform the police, having taken advice as necessary. In this case, any internal investigation will be postponed until the police investigation and any criminal proceedings which may arise, have been completed;

ii. otherwise the action to be taken at the end of the investigation will be covered by other school policies and procedures, (for example the Disciplinary Policy) and will not be dealt with here.

5. Response

5.1 The length of time over which the investigation will be carried out will vary, but should be as short as is consistent with a thorough approach. If the investigation is prolonged, the Chair of Governors will report to the employee making the allegation at regular intervals. All allegations must be investigated as a priority so as to avoid any delay. Target timescales are shown below for different actions in the summary description of the process. The time taken to investigate and resolve individual cases depends on a variety of factors including the nature, seriousness and complexity of the allegation, but these targets should be achieved in all but truly exceptional cases. It is expected that 80 per cent of cases should be resolved within one month, 90 per cent within three months, and all but the most exceptional cases should be completed within 12 months.

For those cases where it is clear immediately that the allegation is unfounded or malicious then it is expected that they should be resolved within one week. Otherwise it may need a full investigation to determine this. Where the initial consideration decides that the allegation does not involve a possible criminal offence it will be for the Governing Body to deal with it, although if there are concerns about child protection, the Chair/Headteacher should discuss with the LADO. In such cases, if the nature of the allegation does not require formal disciplinary action, the head teacher should institute appropriate action within 3 working days.

5.2 At the end of the investigation, the Chair of Governors will, as far as is possible and with due regard to third party rights, inform the employee making the allegation of the outcome. If the decision is that no action be taken, either because the allegation has not been made out or it concerns weak practice, (see paragraph 3.1ii of the procedure), the reasons for this decision will be made known to the employee making the allegation.

6. Appeal

6.1 **Community and Voluntary Controlled Schools Only.** If the employee making the allegation is not satisfied with the decision or where members of staff, or individual governors, have concerns relating to the conduct of the Governing Body and/or the Senior Management of the school, and where it would be unreasonable to raise these concerns within the school, **only** where Warwickshire County

Council is the employer, the nominated Director of Children Services (DCS) postholder or the Head of Service for Education & Learning (or his or her nominee) should be contacted so the appeal can be considered.

6.2 Where WCC is not the employer (academy, foundation and voluntary aided schools), it is recommended that individual Governing Bodies consider constituting an appeal panel. Whilst advocated as good practice there is no statutory requirement to hold such an appeal. Further advice should be sought from your HR provider.

6.3 The Local Authority also has statutory powers of intervention under the Education Act 2006 in **all** maintained schools (including Foundation and Voluntary Aided schools where WCC is not the employer). However, these powers are limited to quite specific conditions as set out in the statutory guidance for Schools Causing Concern, see link for further information:

https://www.gov.uk/government/publications/schools-causing-concern--2

6.4 Depending on the nature of the matter raised, if the employee reasonably believes that the appropriate action has not or been taken following 6.1, 6.2 or 6.3, or reasonable belief that this will not be undertaken by the employer, he/she may consider reporting the matter to the appropriate authority/Prescribed Person.

If an employee decides to blow the whistle to a prescribed person rather than your employer, they must make sure that they have chosen the correct person or body for the issue. For example, if they are blowing the whistle on examination malpractice they should contact the Office of Qualifications and Examinations Regulation. Below is a link of the prescribed persons and bodies which a disclosure can be made to. There is also a brief description about the matters that can be reported to each prescribed person. In addition an employee can also blow the whistle to their legal adviser, in the course of obtaining legal advice, or to a member of the House of Commons about any matter specified in the Public Interest Disclosure (Prescribed Persons) (Amendment) (No 2) Order 2015. You can get the contact details for any Member of Parliament at the following link: http://www.parliament.uk/mps-lords-and-offices/ More information on whistleblowing can be found on the GOV.UK website: www.gov.uk/whistleblowing.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/502773/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf.

7. Safeguards

7.1 **Harassment or Victimisation**

i. The school recognises that the decision to report a concern can be a difficult one to make not least because of fear of reprisal from those responsible for the malpractice. The school will not tolerate harassment or victimisation in any form and will take action and put in place support measures to protect employees who raise a concern. Disciplinary procedures are already in place to address any potential attempts at harassment or victimisation.

ii. It is accepted by the school that employees may feel concerned that by raising areas of concern, their future careers may be detrimentally affected. This will not be the case and those raising concerns in the public interest can be assured that those concerns will be treated with the utmost respect and will play no part in future decisions related to an employee's progress or promotion.

iii. If an employee who raises a concern is already the subject of disciplinary, redundancy or similar procedures, confidential reporting will not halt these procedures but every effort will be made on the part of the investigating officer to ensure that the issues are not inter-related or connected in any way.

7.2 **Confidentiality**

All efforts will be made to protect an employee's identity when they raise a concern and do not want their name to be disclosed; however, it must be appreciated that the investigation process may reveal the source of the information and a written statement by the employee may be required as part of the evidence, especially if the next step is a police investigation and prosecution.

7.3 **Anonymous Allegations**

i. The school accepts that employees will raise genuine concerns that are based on factual evidence or direct observation. With this in mind, employees are encouraged to put their names to any allegation. Concerns expressed anonymously are much less powerful and far more difficult to investigate and prove, however, they will be considered at the schools' discretion.

ii. In deciding whether to investigate an anonymous allegation, it will be necessary to consider the seriousness of the allegation, its validity and whether evidence can be obtained in order to proceed with an investigation. In making this consideration the factors to be taken into account would include:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from other sources in the face of a denial from the accused person(s).

7.4 **Untrue Allegations**

i. If employees make an allegation without personal gain, which is based on evidence, observation or a series of unexplainable instances, but it is not confirmed by the investigation, no action will be taken against that employee who will be fully supported after the event. If, however, employees make malicious or vexatious allegations, disciplinary action may be taken.

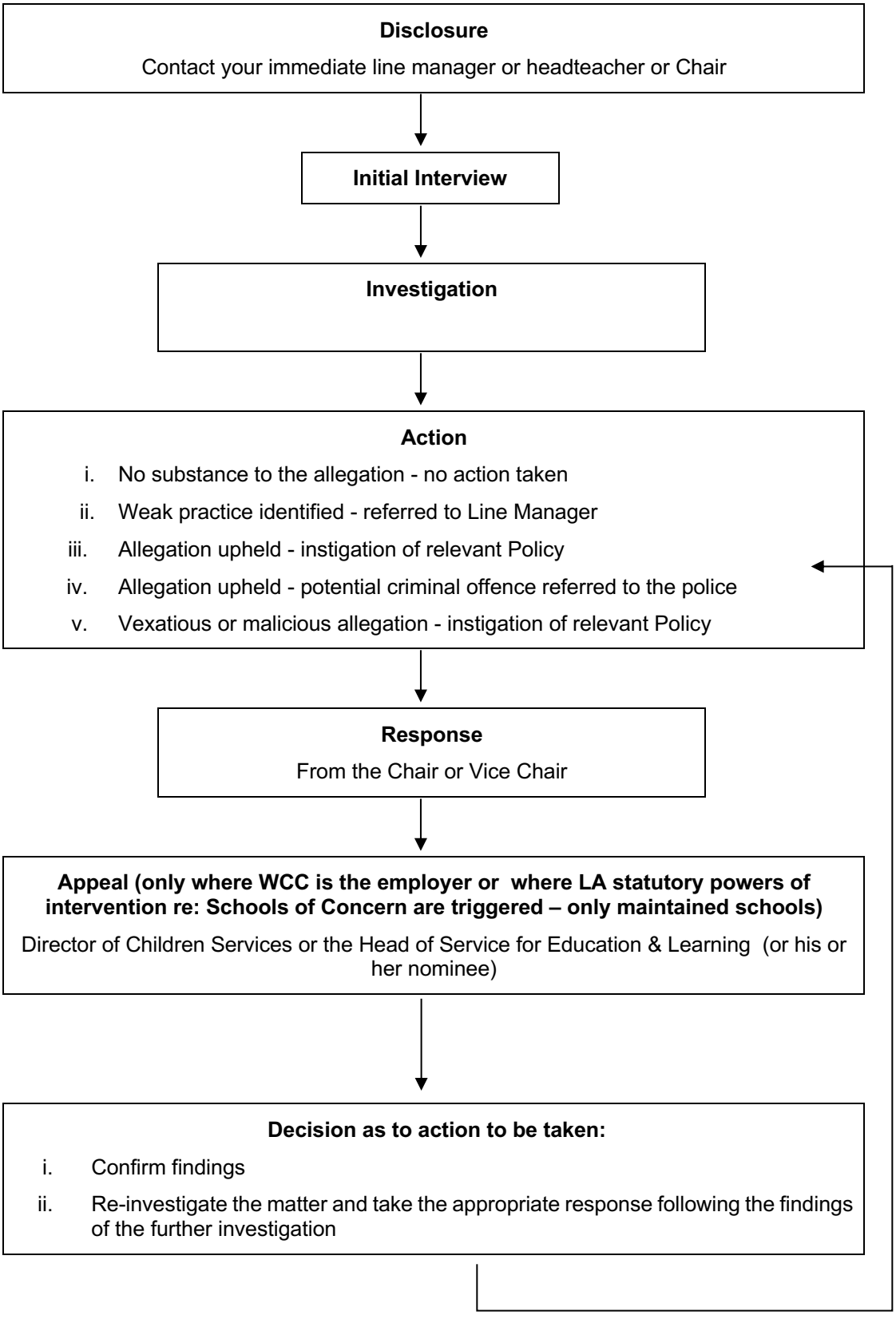
ii. Equally, if malicious allegations are made against the employee, the school will ensure that the employee is fully supported and that appropriate disciplinary action is taken against the person making the malicious allegations.

7.5 **Further Information for Employees**

There may be circumstances when employees wish to seek independent advice before raising a concern internally. The charity Public Concern at Work (PCaW) provides free confidential advice to workers who have concerns about wrongdoing in the workplace and can be found at www.pcaw.co.uk / whistle@pcaw.co.uk.

Appendix 2

Confidential Reporting Procedure - Internal Procedures Flowchart



Appendix 3

Model Whistleblowing Form

Making a Public Interest Disclosure (Whistleblowing)	
Guidance This form is intended for use by any individual working in the school, (including contractors, agency workers and volunteers) who wishes to raise an issue about wrongdoing. This form should be used to report wrongdoing within the school, (for example, financial irregularities or health and safety concerns), rather than to raise a personal grievance (for example, if you would like to make an allegation of bullying or harassment, or are complaining that your contract of employment has been breached). If you are unsure about whether your concerns are best dealt with under the Whistleblowing Policy or Grievance Procedure, please read the Whistleblowing Policy, which provides examples of the issues that should be reported using this form. If, having read the Whistleblowing Policy, you remain unsure about which procedure to use, please consult the Chair of Governors for further advice. Once you have submitted this form, the whistleblowing procedure will be invoked. This will result in an investigation, which could involve anyone, (for example, your line manager) you may have implicated below. In certain circumstances, you can request that your concerns be kept anonymous. Where possible, the organisation will respect a request for anonymity, but cannot guarantee that it will be able to do so. This form should be completed and delivered to the Chair of Governors in an envelope marked "confidential" or sent as an email attachment with "confidential" in the subject line.	
Formal Public Interest Disclosure (Whistleblowing)	
Employee's name:	
Employee's job title:	
Employee's department:	
Date:	
Does your public interest disclosure relate to your line manager?	Yes / No
Summary of disclosure:	
Please set out the details of the issue that you wish to raise, providing examples where possible, particularly dates, times, locations and the identities of those involved. You may attach additional sheets if required.	

Individuals involved:	
Please provide the names and contact details of any people involved in your concerns, including witnesses.	
Outcome requested:	
Please set out how you would like to see the issue dealt with, and why and how you believe that this will resolve the issue.	
Declaration:	
I confirm that the above statements are true to the best of my knowledge, information and belief. I understand that, if I knowingly make false allegations, this may result in the organisation taking disciplinary action against me.	
Form completed by:	
Signature:	
For completion by the school:	
Date form received:	
Name of recipient and job role:	
Signature:	

Appendix 4

Anti-Bribery Statement

1. Introduction

1.1 The Bribery Act 2010 introduced a new, clearer regime for tackling bribery. This anti-bribery statement sets out the policy for dealing with bribery or suspected bribery, namely the prohibition of any form of theft, fraud, bribery or corrupt practices, whether covered directly by the Bribery Act 2010 or not.

1.2 The school is committed to maintaining an honest, open and constructive culture so as to best fulfil its objectives. It is therefore committed to the elimination of theft, fraud, bribery and corruption, to the rigorous investigation of any such allegations and to taking appropriate action against wrong doers, including possible criminal prosecution.

1.3 The overall aims of this statement are to:

i. assist in promoting a climate of openness and a culture and environment where staff feel able to raise concerns sensibly and responsibly;

ii. set out the schools' responsibilities in terms of the deterrence, prevention, detection and investigation of bribery and corruption;

iii. ensure the appropriate sanctions are considered following an investigation, which may include any or all of the following:

- criminal prosecution;
- civil prosecution;
- internal/external disciplinary action (including professional/regulatory bodies).

1.4 All employees should be aware that theft, fraud, bribery and corruption will normally be regarded as a serious disciplinary offence which will be addressed in accordance with the school Disciplinary Policy and associated procedures.

2. Definitions

2.1 'Bribery' means the taking of an inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages. A bribe might be taken in order to gain any commercial, contractual or regulatory advantage for the school in a way which is unethical or for personal advantage, pecuniary, or otherwise, for the individual or anyone connected with the individual.

2.2 'Corruption' means the offering or acceptance of inducements, gifts, favours, payment or benefit-in-kind which may influence the action of any person. Corruption does not always result in a loss. A corrupt person may not benefit directly from their deeds; however, they may be unreasonably using their position to give some advantage to another. It is a common law offence of corruption to bribe the holder of a public office and it is similarly an offence for the office holder to accept a bribe.

3. Rationale

3.1 Bribery is a criminal offence for both individuals and commercial organisations and can be punished with imprisonment of up to 10 years or unlimited fines.

3.2 The school will not commit an offence of failing to prevent bribery, if it can show that it had 'adequate procedures' in place to prevent bribery.

4. Scope

4.1 This statement applies to all employees regardless of position held, as well as those acting on behalf of the employer, including Governors, other volunteers, temporary workers, consultants, contractors,

and/or any other parties who have a business relationship with the school. It will be brought to the attention of all employees and Governors and will form part of the induction process for new staff.

4.2 The school has procedures in place that reduce the likelihood of theft, fraud, bribery or corruption occurring. These include Standing Orders, Financial Regulations, documented policies and procedures, including whistleblowing and a system of internal control (including Internal and External Audit) and risk assessment.

5. Core Principles

5.1. The school operates a zero tolerance attitude in respect of theft, fraud, bribery and corruption.

5.2 All staff have a personal responsibility to protect the school from theft, fraud, bribery or corruption, are responsible for maintaining the highest standards of business conduct and are expected to behave honestly and with integrity.

5.3 In the event that a member of staff becomes suspicious that theft, fraud, bribery or corruption is being committed, they are fully authorised to take immediate action to prevent further or to secure evidence. Any such action should be reported to senior management. Where such action or reporting is not possible the Whistleblowing Policy should be used to report the matter.

5.4 If it subsequently becomes clear that those suspicions and actions were ill founded, then the school will not discipline the member of staff concerned, unless it is considered that the action was motivated by personal animosity.

5.5 Individuals must not communicate directly with any member of the press, media or any other third party about a suspected act of theft, fraud, bribery or corruption, but should address any such concerns in accordance with the Whistleblowing Policy.

5.6 All gifts, payments or any other contribution received, whether in cash or in kind, shall be documented, regularly reviewed, and properly accounted for.

5.7 The school will procure goods and services ethically and transparently with the quality, price and value for money determining the successful supplier/contractor, not by receiving (or offering) improper inducements.

5.8 The school prohibits employees and associated persons from offering, giving, soliciting or accepting any bribe in any way, or to give, or be perceived to have given, a financial or other advantage to any person, (whether a UK or foreign public official, political candidate, party official, private individual, private or public sector employee or any other person) in order to induce that person to perform his/her functions or activities improperly.

5.9 The school may, in certain circumstances, be held responsible for acts of bribery committed by intermediaries acting on its behalf such as subsidiaries, clients, business partners, contractors, suppliers, agents, advisors, consultants or other third parties. The use of intermediaries for the purpose of committing acts of bribery is therefore prohibited.

5.10 Facilitation payments are prohibited under the Bribery Act like any other form of bribe. They shall not be given by the school or its employees in the UK or any other country.

5.11 This statement is not intended to prohibit appropriate corporate entertainment and / or hospitality undertaken in connection with the schools' business activities, provided the activity is customary under the circumstances, is proportionate, and is properly recorded / disclosed as set out in the Financial Regulations.