



Education is that which liberates

## 7b Whistleblowing Policy

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## **B37 Whistleblowing policy**

### **1. Introduction**

- The Governors and staff of The Swaminarayan School expect high standards of conduct and integrity in all aspects of school business and activity. Should the governors, school staff, parents or the school community at large become aware of activities, which give cause for concern, we have established this “Whistleblowing Policy”. The policy acts as a framework to allow concerns to be raised confidentially, and provides for a thorough and appropriate investigation of the matter, in order to bring it to a satisfactory conclusion.
- Whistleblowing is when a member of staff or parent reports suspected wrongdoing at the school. Officially this is called ‘making a disclosure in the public interest’.
- The term “whistleblower” denotes the person raising the concern or making the complaint. It is not meant in a derogatory sense and is consistent with the terminology used by Lord Nolan as recommended in the *Second Report of the Committee on Standards in Public Life: Local Spending Bodies*, published in May 1996.
- The Swaminarayan School is committed to tackling fraud and other forms of malpractice and treats these issues seriously. We recognise that some concerns may be extremely sensitive and have therefore developed a system which allows for the confidential raising of concerns within the school environment and also has recourse to an external party outside the management structure of the School.
- We are committed to creating a climate of trust and openness, so that a person who has a genuine concern or suspicion can raise the matter with full confidence that it will be appropriately considered and resolved.
- The provisions of this policy apply to matters of suspected fraud and impropriety, and not matters of a more general grievance, which would be dealt with through normal school personnel procedures and the complaints procedure which can be found on the school website.

### **2. When might the whistleblowing policy apply?**

The type of activity or behaviour which we consider should be dealt with under this policy includes:

- Any child safeguarding issue
- A criminal offence
- The breach of a legal obligation (like not having the right insurance)
- A miscarriage of justice

- A danger to the health and safety of any individual
- Damage to the environment
- Manipulation of accounting records and finances
- Fraud and deceit
- Inappropriate use of school assets or funds
- Decision making for personal gain
- Abuse of position
- Covering up wrongdoing
- Serious breaches of school procedures which may advantage a particular party (eg. tampering and tender documentation, failure to register a personal interest)
- Deliberate attempt to conceal any of the above.

### **3. What action should the whistleblower take?**

*In line with the “Freedom to Speak Up” report published in 2015, the Swaminarayan School has a “Freedom to Speak Up Guardian” whom employees can approach in regard to concerns. This encourages good communication and is available to both permanent and temporary staff. The Freedom to Speak Up Guardian may be approached in confidence and acts as a liaison during meetings held with the Headteacher.*

Should a concern still remain it is suggested the whistleblower raise the matter internally in the first instance to allow those Governors and school staff in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity. We have designated a number of individuals to specifically deal with such matters and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter:

- Chairman of Governors
- Head Teachers of each school
- Governor in charge of Whistleblowing

The whistleblower may prefer to raise the matter in person, by telephone, or in written form marked ‘private and confidential’ and addressed to one of the above named individuals. All matters will be treated in strict confidence and anonymity will be respected whenever possible.

**Staff should also consult the policy *B19 Safeguarding*.**

Making a report to an external person may only be undertaken where the staff member thinks the school will cover it up, would treat them unfairly if they complained or have raised the matter before, but the concern hasn't been dealt with.

The following external contact bodies can be contacted should there be concerns that require this.

- Brent Family Front Door – Contact LADO if a safeguarding concern
- The Independent Schools Inspectorate
- Brent Council
- The Police (where your concern regards a criminal matter)

Advice may also be sought from the “Public Concern at Work” Whistleblowing Charity [www.pcaw.org.uk](http://www.pcaw.org.uk) or Government advice is available from [www.gov.uk/whistleblowing](http://www.gov.uk/whistleblowing)

#### **4. How will the matter progress?**

The individual(s) in receipt of the information or allegation (the investigating officer/s) will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice, or assistance.

Records will be kept of actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the Governing Body, will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral, such as the Police.

The whistleblower will be informed of the results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the Governing Body.

If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter, or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the appropriate external body, according to the nature of the concern this can be escalated to the bodies highlighted in point 3 above.

#### **5. Respecting confidentiality**

Wherever possible, The Swaminarayan School seeks to respect the confidentiality and anonymity of the whistleblower and will, as far as possible, protect him/her from reprisals. We will not tolerate any attempt to victimise the whistleblower or attempts to prevent concerns being raised, and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

#### **6. Raising unfounded malicious concerns**

Individuals are encouraged to come forward in good faith with genuine concerns, with the knowledge that they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence.

## **7. Conclusion**

Existing good practice with The Swaminarayan School in terms of its systems, and of internal control both financial and non-financial, and the external regulatory environment in which the School operates, ensures that, as far as possible, cases of suspected fraud or impropriety do not occur. This Whistleblowing Policy is provided as a reference document to establish a framework within which issues can be raised confidentially, internally and if necessary outside the management structure of the School. This document is a public commitment that concerns are taken seriously and will be actioned.

WHAT CONCERNS DO YOU WISH TO RAISE? (In your own words describe your concern(s), include date(s), time(s), persons involved, including any witnesses, location, the length of time you have been concerned.)

WHY ARE YOU CONCERNED ABOUT THE ISSUE(S)?

HAVE YOU DISCUSSED THE ISSUE(S) WITH ANYONE ELSE? YES/NO

IF SO, who with \_\_\_\_\_ WHEN (date) \_\_\_\_\_

WHAT WAS THE OUTCOME OF THIS PREVIOUS DISCUSSION?

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

ON COMPLETION THIS FORM SHOULD BE SENT TO THE HEAD TEACHER, GOVERNOR RESPONSIBLE FOR WHISTLEBLOWING OR CHAIR OF GOVERNORS IN A SEALED ENVELOPE MARKED PRIVATE AND CONFIDENTIAL

**STEPS IN MAKING A DISCLOSURE**

Concern(s) identified and advice sought from Freedom to Speak Up Guardian and/or Union. Disclosure made to Head teacher, Governor responsible for Whistleblowing or Chair of Governors informally



Concern(s) remain

Action identified concern(s) addressed and resolved



Disclosure made formally in writing using pro-forma to Head teacher, Governor responsible for Whistleblowing or Chair of Governors.



Head teacher, Governor responsible for Whistleblowing or Chair of Governors Acknowledges receipt of pro-forma in writing within 3 working days.



Formal investigation begins (if appropriate).



Outcome of investigation submitted in writing to the Head Teacher, Governor responsible for Whistleblowing or Chair of Governors.



Feedback given to the person making disclosure within 5 working days of the outcome of the investigation being made.



Resolution & recommended action to prevent recurrence.

If dissatisfied with outcome, contact external body (eg. Brent Council, the ISI, or the Police).