



## **Barnfield Primary School**

### Whistleblowing Policy 2022-2023

**'Be the best you can be'**  
**DREAM. BELIEVE. ACHIEVE.**

Whistleblowing Policy			
<b>Review Frequency</b>	Every year	<b>Review Date</b>	Summer 2024
<b>Ratified by Governors</b>	To be ratified	<b>Website</b>	Yes

## Contents

Introduction.....	3
The Scope of the Policy .....	3
What action should the Whistleblower take?.....	3
Respecting Confidentiality .....	5
How will the matter be progressed? .....	5
Protection from reprisal .....	5
Raising unfounded malicious concerns .....	5
If you are not satisfied .....	6
Conclusion .....	6
Relevant Policies .....	6

## **Introduction**

The Local Authority (LA) and school governing body seek to run all aspects of school business and activity with full regard for high standards of conduct and integrity. In the event that members of school staff, or governors become aware of activities which give cause for concern, the following whistleblowing policy, or code of practice, acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

Throughout this policy, the term “whistleblower” denotes the person raising the concern or making the complaint.

The LA is committed to tackling fraud and other forms of malpractice and treats these issues seriously. It recognises that some concerns may be extremely sensitive and has therefore developed a system, which allows for the confidential raising of concerns within the school environment but also has recourse to an external party outside the management structure of the school.

The LA is committed to creating a climate of trust and openness so that a person who has a genuine concern can raise the matter with full confidence that the matter will be appropriately considered and resolved.

The provisions of this policy apply to matters of:

- financial mismanagement and impropriety
- an individual having potentially behaved in a way that could have harmed a child

It does not cover matters of more general grievance, which would be dealt with under school grievance procedures.

This policy is mandatory for London Borough of Barnet maintained schools under paragraph 11.9 of the Scheme for Financing Schools under S.48 of the Schools Standards & Framework Act 1998.

## **The Scope of the Policy**

This policy is applicable to the governors and employees of all schools maintained by Barnet Council. The type of activity or behaviour, which is dealt with under this policy includes financial matters such as

- manipulation of accounting records and finances
- inappropriate use of school assets or funds
- decision-making for personal gain
- any criminal activity
- abuse of position
- fraud and deceit
- serious breaches of school procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)
- deliberate concealment of the above

## **What action should the Whistleblower take?**

The whistleblower is encouraged to raise the matter internally in the first instance to allow those school staff and governors in positions of responsibility and authority the opportunity to right the wrong and explain the behaviour or activity.

At school level there are two designated 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.

**The Headteacher** – Catherine Goodwin

**Chair of Governors** – Wendy Kravtzi [chair@barnfield.barnetmail.net](mailto:chair@barnfield.barnetmail.net)

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 should be treated in strict confidence and anonymity respected wherever possible.

Alternatively, if the whistleblower considers the matter too serious or sensitive to raise within the internal environment of the school (or if the matter is concerning one of the named senior people above), the matter should be directed to either:

\* **The Council's Whistleblowing Officer** - Head of the Corporate Anti Fraud Team (CAFT), who has powers to investigate all potential fraud or irregularity,

or,

\* **The Council's Monitoring Officer** – the Borough Solicitor, who has a duty to the Council to deal with illegality, maladministration and wrongdoing and is responsible for the overall operation and maintenance of the Council's whistleblowing policy.

The Council's Whistleblowing contact details are

<b>Telephone number:</b>	<b>0208 359 6123 or 0208 359 2007</b>
<b>Address:</b>	<b>Corporate Anti-Fraud Team, Building 4, North London Business Park, London N11 1NP</b>
<b>Email:</b>	<a href="mailto:whistleblowing@barnet.gov.uk">whistleblowing@barnet.gov.uk</a>

### **Action taken if the Whistleblowing concern is of a child protection / safeguarding nature**

For matters of a Child Protection nature, where the concern is around a child being harmed / potentially harmed by someone within school, staff may contact:

- NSPCC Whistleblowing advice line for professionals - 0800 028 0285
- The Headteacher (as set out in the Child Protection and Safeguarding Policy)

Before any action / investigation is taken within school, the Head must contact the LADO (Local Authority Designated Officer) for Barnet via MASH on 0208 359 4066.

Staff reporting the incident / concern need to provide a written record which is signed and dated.

The LADO and Head will consult and decide if the allegation meets the threshold for a child protection investigation. The LADO will then advise on how to proceed in the specific case in terms of follow up action and / or an investigation. The LADO will also instruct the headteacher as to any external agencies that need to be informed (e.g. in some instances, Ofsted and the DBS service must be informed.)

If the matter cannot be discussed with the Head, staff are reminded to call the NSPCC Whistleblowing advice line for professionals - 0800 028 0285 for guidance and advice

## **Respecting Confidentiality**

Individuals reporting wrong-doing should note –

- Everything possible will be done to respect your confidentiality. Sometimes, though, it is necessary to take a statement as part of the investigation and enforcement process. In that case, the issues will be discussed with you beforehand.
- Completely anonymous reports carry much less weight. They will only be acted upon at the discretion of the LA, having regard to the seriousness of the issues, the credibility of the report and the likelihood of obtaining confirmation elsewhere,
- The earlier you express concern, the easier it is to act,
- You will not be required to prove your allegation but you will be asked to give as much detail as possible. It is much better to do this in writing but as an alternative you can speak to someone at a meeting. LA officers will arrange for this process to be handled by someone outside the school. You can bring a trade union representative or a friend to a meeting if you wish.

## **How will the matter be progressed?**

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, for example involvement of other members of school staff, LA legal, personnel or finance officers, the police.

Records will be kept of work undertaken and 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 outcome of the investigation when the matter is completed unless this is not possible for legal reasons. Sometimes this can take a long time, especially if there is a long investigation or court proceedings are involved. Depending on the nature of the allegation and whether or not it has been substantiated, the matter will be reported to the governing body and the LA.

## **Protection from reprisal**

Anyone who makes a report in good faith will be protected from victimisation or reprisal. The Public Interest Disclosure Act 1998 gives statutory protection for employees who report in good faith on crime, illegality, or deliberate concealment of these. The protection covers reports to the employer or a regulating authority. The Act protects the employee from being subjected to discipline or dismissal or any other detriment from making the report.

If you are already the subject of disciplinary, capability or redundancy procedure they will not necessarily be halted as a result of your whistleblowing.

## **Raising unfounded malicious concerns**

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge 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 or require some other form of penalty appropriate to the circumstances.

## **If you are not satisfied**

If you are not satisfied with the response to your whistleblowing report within your school you can contact the Head of CAFT or Monitoring Officer. If you are not satisfied with the response from these officers who can contact the Chief Finance Officer or the Chief Executive, both of whom have personal responsibility for probity within the Council.

The Council hopes that you will be satisfied with the whistleblowing routes offered by this policy. But if you are not and you want to take the matter up outside the Council, you can contact your ward Councillor (if you live in the borough), the external auditor, the Department for Children Schools & Families, or the police, or take legal advice. If you do this make sure that you do not put yourself at legal risk by disclosing confidential information in circumstances where that is not allowed. Ask the person you contact about this.

## **Conclusion**

Existing good practice within schools in terms of systems of internal control both financial and non-financial and the external regulatory environment in which schools operate ensure that cases of suspected fraud or impropriety rarely 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 action will be taken.

## **PROCEDURE TO FOLLOW IF THE ALLEGATION NAMES A MEMBER OF STAFF**

The head teacher is required to consult with the Local Authority Designated Officer (LADO) in the first instance. Following guidance from the LADO, they will carry out an initial assessment into whether or not there is sufficient substance and evidence in the allegation to warrant further action. Any further investigation will be undertaken in consultation with the LADO. This will result in one of four possible outcomes:

1. An immediate referral under the local child protection procedures (if the child is considered to be at risk of significant harm and in need of protection). The member of staff may be suspended.
2. There is a reason to suppose abuse could have occurred and that referral under the local child protection procedure or under internal disciplinary procedures may be necessary.
3. That the allegation is apparently without foundation.
4. That the allegation was prompted by inappropriate behaviour, which needs to be considered under local disciplinary procedures.

All records made as the result of an allegation must be kept separate from other pupil records and stored in a secure filing cabinet. Children's Services and the Police will need access to the file.

## **PROCEDURE TO FOLLOW IF THE ALLEGATION NAMES THE HEADTEACHER**

The Chair of Governors needs to be informed immediately. The concern can be put in writing (this will involve a letter addressed to the Chair of Governors being written, put in a sealed envelope and given to the Office Manager. S/he will ensure it is passed on straight away, unopened). The Chair of Governors will then follow procedures as set out in Child Protection Policy. As an alternative, staff may email the chair of governors at [chair@barnfield.barnetmail.net](mailto:chair@barnfield.barnetmail.net)

## **Relevant Policies**

- Child Protection and Safeguarding Policy

- Grievance Policy