

Introduction BHES is committed to the highest possible standards of openness, honesty, integrity and accountability.

As part of this commitment the service wants to ensure that, any activity which falls below these standards is reported to the service so that it can be dealt with promptly.

Employees are often the first to realise that there may be something seriously wrong within the organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the service.

They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or advantage. It is intended to encourage and enable employees to raise serious concerns within the service rather than overlooking a problem or 'blowing the whistle' outside.

This policy applies to all employees and those contractors working for the service, for example, agency staff, builders, and drivers. It also covers suppliers and those providing services under a contract with the service.

This policy is in addition to the services' complaints procedures.

### **Aims and scope of this policy**

This policy aims to:

- Encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
- Provide avenues for you to raise those concerns and receive feedback on any action taken;
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied;
- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment.

This policy is intended to cover major concerns that fall outside the scope of other procedures.

These 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;
- Damages to the environment
- The unauthorised use of public funds;
- Possible fraud and corruption;
- Sexual or physical abuse of clients;
- Other unethical conduct.

Any serious concerns that you have about any aspect of the service or the conduct of service employees or others acting on behalf of the service can be reported under this Policy.

This may be about something that:

- Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the service subscribe to;
- Is against any service policy;
- Falls below established standards of practice;
- Amounts to improper conduct.

### **Safeguards**

The service recognises that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those employed in the service.

The service will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.

The Public Interest Disclosure Act 1998 and the Enterprise & Regulatory Reform Act 2013 provides additional protection for staff using this Policy.

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, you may need to come forward as a witness.

This policy encourages you to put your name to your allegation whenever possible but concerns expressed anonymously are much less powerful and will be considered at the discretion of the Headteacher and Chair of Management Committee.

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation maliciously or for personal gain, disciplinary action may be taken against you.

### **How to raise a concern**

As a first step, you should normally raise concerns with your immediate manager or their manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.

If you believe that your manager is involved then you should approach the Headteacher.

However if you believe the Headteacher is involved you should approach the Chair of management Committee.

Concerns may be raised orally or in writing.

The earlier you express the concern the easier it is to take action. Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns. You may invite your trade union or a friend to be present during any meetings or interview in connection with the concerns you have raised.

### **How the service will respond**

The service will respond to your concerns. Do not forget that testing your concerns is not the same as either accepting or rejecting them. Where appropriate, the matters raised may:

- Be investigated by management, internal or external audit, or through the disciplinary process;
- Be referred to the Police;
- Form the subject of an independent inquiry.

In order to protect individuals and those accused of misdeeds or possible malpractice, 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 service will have in mind is the public interest.

Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation.

If urgent action is required this will be taken before any investigation is conducted.

Within ten working days of a concern being raised, the responsible person you have contacted will write to you:

- Acknowledging that the concern has been received;
- Indicating how we propose to deal with the matter;
- Giving an estimate of how long it will take to provide a final response;

- Telling you whether any initial enquiries have been made;
- Supplying you with information on staff support mechanisms;
- Telling you whether further investigations will take place and, if not, why not.

The amount of contact between the persons considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. It may be necessary for the service to obtain need further information from you.

Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative or a friend. The service will take steps to minimise any difficulties which you may experience as a result of raising a concern.

For instance, if you are required to give evidence in criminal or disciplinary proceedings the service will arrange for you to receive advice about the procedure.

### **The Responsible Officer**

The Headteacher has overall responsibility for the maintenance and operation of this policy and will maintain a record of any concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Chair of Management Committee.

If the concern is about the Headteacher, then the Chair of Management Committee will act as the Responsible Officer.

How the matter can be taken further

This policy is intended to provide you with an avenue within the service to raise concerns. The service hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the service, the following are possible contact points:

- The Ombudsman
- Your Trade Union
- Your local Citizens Advice Bureau
- Relevant professional bodies or regulatory organisations
- The Police

If you do take the matter outside the service, you should ensure that you do not disclose confidential information.

Check with the contact point about that.