The Treehouse School
Nature, nurture and nourishment

Whistleblowing Policy

This policy was updated in January 2019.

The policy will be reviewed and updated annually.

Trustee with responsibility: Jane Randle - Behaviour, Attitudes and Personal Development Team

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Rationale

This procedure is based on Oxfordshire County Council's guidelines, which were drawn up following consultation with all the recognised Trade Unions and Associations. This procedure applies to all employees working in The Treehouse including self-employed contractors and volunteers.

Policy Statement

The school is committed to the highest possible standards of:

- Openness and inclusiveness;
- Accountability;
- Integrity in-line with that commitment;
- Upholding fundamental British values.

Aims

The aims of this procedure are to:
a) Encourage those working in the school to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
b) Provide guidance on how to raise concerns.
c) Reassure those raising concerns that they are able to raise genuine concerns "made in the public interest" without fear of reprisals, even if they turn out to be mistaken.

The School's Trustees will provide all reasonable protection for those who raise concerns "made in the public interest". The Trustees will be responsible for ensuring that appropriate personal support is offered both to an employee raising a concern and to any employee against whom allegations have been made under this procedure. School employees who wish to raise a concern or grievance about their own employment, should refer to the school's grievance procedure.

What is 'Whistleblowing'?

'Whistleblowing' is defined as 'raising concerns about misconduct within an organisation or within an independent structure associated with it'. In the legislation it is called a protected disclosure. The Public Interest Disclosure Act 1998 (PIDA 1988) protects employees from suffering a detriment in their employment or being dismissed by their employer if they make disclosures in accordance with the legislation.

Raising Concerns

An employee has certain common law confidentiality obligations to their employer. However, in a limited set of circumstances whistleblowing may override these obligations if an employee reveals information about their employment or the work of the School. This guidance sets out the circumstances under which these disclosures may lawfully be made

A concern must relate to something which:
a) is a breach of the school's policies; or
b) falls below established standards or practice; or
c) amounts to improper conduct, including something that may be: a breach of the law; a failure to comply with a legal obligation; a possible miscarriage of justice; a Health & Safety risk; damaging the environment; misuse of public money; corruption or unethical conduct;

abuse of pupils, students or other users, including undermining of fundamental British values or promoting radical and extremist views; deliberate concealment of any of these matters; any other substantial and relevant concern; breach of the teachers standards.

These issues could have arisen in the past, be currently happening or likely to happen in the future. The law does not protect an employee who would be breaking the law in making the disclosure.

How to Raise a Concern ('Whistleblowing')
If you have a serious concern it should be reported using the following procedure.
All concerns will be treated sensitively and with due regard to confidentiality and where possible every effort will be made to protect your identity if you so wish. Nevertheless, this information will need to be passed on to those with a legitimate need to have this information and it may be necessary for you to provide a written statement or act as a witness in any subsequent disciplinary proceedings or enquiry. This will always be discussed with you first.

Where concerns are expressed anonymously the Headteacher in consultation with the Chair of The Trustees will decide how to proceed. An investigation may be carried out, depending on the nature of the allegations and the evidence/information presented.

Step 1
If you wish to raise a concern you should normally raise it with the headteacher. This can be in person or in writing. The school recognises that sometimes it may be inappropriate for you to approach the headteacher with your concern. In these circumstances, a number of alternatives are available depending on the nature of your concern. You can contact any of the following: Chair of The Trust; Oxfordshire County Council, Director of Children, Education and Families; Trade Union.

Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have sufficient evidence or other reasonable grounds to raise them. You may wish to obtain advice from a trade union representative or a colleague. You may choose to be represented by a trade union representative or colleague at any meetings that are required.

Step 2
The person with whom you have raised your concern will acknowledge its receipt as soon as possible and will write to you within 10 days to let you know how your concern will be dealt with.

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The information you can then expect to receive is: an indication of how the concern will be dealt with; an estimate of how long it will take to provide a final response; whether any initial enquiries have been made; whether further investigations will take place, and if not why not; information about support available for you.

The person with whom you have raised your concern will at the same time notify The Chair of The Trust and Local Authority that a whistleblowing allegation has been made. Advice

on dealing with concerns is available from The Local Authority, the council's Legal or Financial Services.

Step 3
Initial enquiries will be made to decide whether an investigation is appropriate. Where an investigation is necessary, it may take the form of one or more of the following: an internal investigation by the Headteacher or a Trustee, which may, for example, take the form of a disciplinary investigation; an investigation by the Internal Audit Service; a referral to the Police; the setting up of an external independent inquiry.

Step 4
You will be informed of the outcome of any investigation, in writing, and/or of any action taken, subject to the constraints of confidentiality and the law. If you do not feel your concern has been addressed adequately you may raise it with an independent body such as one of the following as appropriate: your trade union; the Citizens Advice Bureau; a relevant professional body or regulatory organisation; a relevant voluntary organisation; the Police; the Local Government Ombudsman; Oxfordshire Racial Equality Council; Equality and Human Rights Commission .

You must make a disclosure "in the public interest"; and in the circumstances it must be reasonable for you to make the disclosure.

If there is an issue of an exceptionally serious nature which you believe to be substantially true, then you may disclose the issue to someone other than those listed. In determining whether it is reasonable for you to have made a disclosure the identity of the person to whom the disclosure is made will be taken into account. Disclosures to anyone outside of the recognised bodies specified may not be protected disclosures under the Act.

You have a duty to the School not to disclose confidential information. This does not prevent you from seeking independent advice at any stage or from discussing the issue with the charity Public Concern at Work on 020 7404 6609 and www.pcaw.co.uk in accordance with the provisions of the Public Interest Disclosure Act 1998.

Review and Reporting of the Procedure
The Trustees are responsible for the management of services and staff within their school. This procedure has been reviewed with reference to equalities, human rights and discrimination legislation. Confidential monitoring of the procedures is undertaken in order to gather data to help establish whether the procedure is operated in a fair and consistent manner. In undertaking monitoring the School will not identify individuals.

The Treehouse School

Contact Details (Oxfordshire County Council):

Chief Executive Tel no: 01865 815330 Email: Joanna.simons@oxfordshire.gov.uk
Address: County Hall, New Road, Oxford. OX1 1ND Web site: www.oxfordshire.gov.uk

Chief Finance Officer Tel no: 01865 816399 Email: lorna.baxter@Oxfordshire.gov.uk
Address: County Hall, New Road, Oxford. 0X1 1TH Web site: www.oxfordshire.gov.uk

Interim Deputy Director of Education and Early Intervention Tel no: 01865 323875 Email: Rebecca.matthews@oxfordshire.gov.uk Address: County Hall, New Road, Oxford. OX1 1TH Web site: www.oxfordshire.gov.uk

Chief Legal Officer Tel no: 01865 323907 Email: peter.clark@oxfordshire.gov.uk Address: County Hall, New Road, Oxford. OX1 1ND Web site: www.oxfordshire.gov.uk

Head of Human Resources Tel no. 01865 815191 Email: steve.munn@oxfordshire.gov.uk
Address: County Hall, New Road, Oxford. OX1 1ND Web site: www.oxfordshire.gov.uk

Contact Details (External Organisations):

The Local Government Ombudsmen: PO Box 4771, Coventry, VC4 0EH Web: www.lgo.org.uk Tel no: 0300 061 0614

Equality Advisory Support Service Address: FREEPOST Equality Advisory Support Service FPN4431 Web: http://www.equalityadvisoryservice.com/ Tel no: 0808 800 0082

Oxfordshire Racial Equality Council Address: 1 Tidmarsh Lane, Oxford, OX1 1PE Tel no: 01865 815239

The Health and Safety Executive (Regional Office) Address: Priestley House, Priestley Road, Basingstoke, Hampshire, RG24 9NW Web: www.hse.gov.uk

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