

**Dulwich Hamlet Educational Trust**  
**Dulwich Hamlet Junior School**  
**The Belham Primary School**

## Whistleblowing Policy



Reviewed and Approved by the Board during the term: Spring Term 2020

Next Review date: Spring Term 2022

## INTRODUCTION

If you have concerns about something that is happening at work which you think could be unlawful conduct, financial malpractice, a concern for the welfare or safeguarding of a child or be dangerous to the public or the environment, it is important that you know what you can do to bring it to the attention of the Leadership Team.

**Dulwich Hamlet Educational Trust** is committed to achieving the highest possible standards of service and ethical standards in public life and it is important to us that you are not worried about raising such issues and do not feel that reporting them is either not your responsibility, or would be disloyal to colleagues, managers or to DHET.

It is also important that if you decide to say something that you know the appropriate way to do it.

The Board of Trustees has re-adopted and revised the Whistleblowing Policy and procedure in line with the Public Interest Disclosure Act 1998 which is the key piece of **UK legislation** protecting individuals who '**blow the whistle**' in the public interest.

[http://www.opsi.gov.uk/acts/acts1998/ukpga\\_19980023\\_en\\_1](http://www.opsi.gov.uk/acts/acts1998/ukpga_19980023_en_1)

The term 'worker' broadly includes employees, independent contractors, agency workers, trainees and a person who is or was subject to a contract to undertake work or services for DHET.

This policy is primarily for concerns **where the wellbeing of others or of the organisation itself is at risk.**

Staff are protected from suffering any detriment or termination of employment if they make disclosures about organisations for whom they work.

## AIMS OF THE POLICY

This policy aims to:

- a) encourage you to feel confident in raising concerns.
- b) provide avenues for you to raise concerns and receive appropriate feedback.
- c) ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- d) reassure you that you will be protected from any reprisals or victimisation by DHET, if you have reasonable belief that the matter disclosed shows wrongdoing and you have made the disclosure in an appropriate manner and in good faith.

## WHAT TO RAISE CONCERNS ABOUT

The Public Interest Disclosure Act lists matters about which concerns can be raised and these are as follows:

- a. that a crime has been committed, is being committed, or is likely to be committed.
- b. child abuse, the abuse of any other vulnerable clients;
- c. fraud, financial mismanagement or theft;
- d. that a person has failed, is failing, or is likely to fail to comply with any legal obligation to which they are subject. Examples might be breach of contract, or breach of statutory requirement;
- e. that a miscarriage of justice has occurred, is occurring, or is likely to occur;
- f. that the health and safety of an individual has been, is being, or is likely to be endangered;
- g. that the environment has been, is being or likely to be damaged; and that information has been concealed or is likely to be deliberately concealed.

## OUR ASSURANCES TO YOU

- 1) To protect you

All Trustees, Governors and the Leadership Team are committed to this policy. If you make a disclosure on one or more of the matters listed above and you have a reasonable belief that your concern is real and you are acting in good faith, you will not suffer any detriment, even if after investigation it transpires that your concern is unfounded.

- 2) To protect your identity

We will not tolerate the harassment or victimisation of anyone raising a genuine concern. If such harassment or victimisation should occur, you should contact the Head of School immediately, unless the concern relates to that individual, in which case it should be raised with the Executive Head Teacher, who will deal with the matter.

However, we recognise that you may nonetheless want to raise a concern in confidence. If you ask us to protect your identity, we will not disclose it without informing you. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed.

Remember that if you do not tell us who you are, it will be much more difficult for us to look into the matter or to protect your position or to give you feedback. Accordingly, while we will consider anonymous reports, it will not be possible to apply all aspects of this policy for concerns raised anonymously.

## **HOW TO RAISE A CONCERN INTERNALLY**

### **1) Stage One**

If you have a concern about malpractice, we hope you will feel able to raise it first with the School Business Manager, or Head of School. This may be done orally or in writing.

### **2) Stage Two**

If you feel unable for whatever reason to raise the matter with the Head of School, then raise with the Executive Headteacher under Stage One, or if necessary with the Chair of the Audit Committee of the Trust, contactable via the School Office.

## **HOW TO RAISE CONCERNS ABOUT FRAUD AND FINANCIAL MISMANAGEMENT**

Disclosures concerning fraud and financial mismanagement should be made following Stage Two procedures above.

## **ADVICE**

If you are unsure whether to use this procedure or you want independent advice at any stage, you may contact your trade union or the independent charity Protect Advice Line: 020 3117 2520 **Email** Protect Advice line: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)

## **HOW WILL WE HANDLE THE MATTER**

Once you have told us about your concern, the following steps will be taken:

- a) Look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation.
- b) Write to you summarising your concern and setting out how we propose to handle it and provide you with details of the officer handling the matter and how you can contact him or her. We will always write to you at your home address unless you tell us not to.
- c) The investigations will be conducted on a strictly confidential basis and the subject of the complaint will not be informed unless and until it becomes necessary in pursuit of information and evidence.

- d) We will give you as much feedback as necessary. However, please note that we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.
- e) Inform the Head of School that you have raised a concern under the Whistleblowing Policy and provide them with details of your complaint.
- f) The Head of School will keep a central record of all such complaints and where the complaint was not raised directly with them, keep a record on the progress of the investigation and of any action taken.

## **EXTERNAL CONTACTS**

We hope this policy gives you the reassurance you need to raise such matters internally, however, providing you are acting in good faith and have evidence to back up the concern, you can also contact:

- a) Audit Commission whistleblowing hotline **0303 444 8346** (matters of fraud or corruption).
- b) Health and Safety Executive, Rose Court, 2 Southwark Bridge, London, SE1 9HS, Tel: 0845 345 0055.
- c) Equality and Human Rights Commission, 3 More London, Riverside Tooley Street, London, SE1 2RG, Tel: 0845 604 6610.
- d) Children's Society, Edward Rudolph House, 69 Margery Street WC1X 0JL 0845 300 1128.

If you do not feel able to raise your concern in the ways outlined above, you should consult the Public Interest Disclosure Act for information about other routes by which a disclosure may be made.

## **HOW TO RAISE CONCERNS ABOUT OTHER MATTERS**

The Whistleblowing Policy is designed to sit alongside DHET's Grievance and Complaints Procedures.

As a guideline, concerns, which should be raised through these routes, are as follows:

- a) employment related issues should be raised through DHET's Grievance and Respect at Work Procedure;
- b) DHET's Complaints Procedure can be used for general complaints.

## **TREATMENT BY OTHERS**

Bullying, harassment or any other detrimental treatment afforded to a colleague who has made a qualifying disclosure is unacceptable. Anyone found to have acted in such a manner will be subject to disciplinary action.