Livingstone Primary and Nursery School
Whistleblowing Policy and Code of Practice

Whistleblowing Policy and Code of Practice	
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Introduction

The London Borough of Barnet and the Governing Body of Livingstone Primary and Nursery School (Livingstone) 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.

Livingstone 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.

Livingstone is 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 the matter will be appropriately considered and resolved.

The provisions of this policy apply to matters of financial mismanagement and impropriety and not 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.

The Scope of the Policy

This policy is applicable to the Governors and staff of Livingstone School. The type of activity or behaviour, which is dealt with under this policy includes:

- 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 give an explanation for 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:

- Headteacher
- Chair of Governors

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, 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, see https://www.barnet.gov.uk/sites/default/files/lbbarnet_-_whistleblowing_policy_-_july_2021_0.pdf for more information on making a report.

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 telephone number 020 8359 6123.
Email whistleblowing@barnet.gov.uk

Respecting Confidentiality

Individuals reporting wrong doing should note –

- everything possible will be done to respect your confidentiality, if that this what you want . 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 Council, 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 take action.
- 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. LEA 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, L.A., 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 Local Authority (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 Chief Internal Auditor 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 School/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 Education, 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.

Monitoring and Evaluation

The day to day monitoring of this policy is the responsibility of the Headteacher and the Chair of Governors. Depending on the nature of the allegation and whether or not it has been substantiated, the Headteacher will report matters to the Governing Body and the LA.