



Whistle Blowing Policy Issued by HR - January 2014 Adopted by Hartlip Endowed CE Primary School – October 2015



If you require this policy in an alternative format please go to the end of this document for details.

Introduction

KCC is committed to the highest possible standards of openness, probity and accountability. If employees and others working with us (including volunteers) have concerns regarding any aspect of our work we encourage them to come forward and voice their concerns. In some instances, concerns may need to be expressed on a confidential basis.

The school's Whistle Blowing Policy is centred, as all our policies, on our identified and selected Christian Values: Trust, Forgiveness, Thankfulness, Peace and Friendship.

- ✓ All members of the school community are **trusted** by all those within the school community to deliver the very best for the children in all that they do
- ✓ Things will go wrong. There is a quiet acceptance of this deployed throughout the school and the opportunity to move on and learn from this, demonstrated through the value of **forgiveness**.
- ✓ All members are **thankful** for the community to which we belong and demonstrates this accordingly
- ✓ We learn in **peace**. We accept that we all learn in different ways and have different needs that require accommodation

We learn in **friendship**; supporting each other to achieve to our very best potential at all times.

Aim

This policy is intended to encourage individuals to raise serious concerns internally within KCC, without fear of reprisal or victimisation, rather than over-looking a problem or raising the matter outside.

This policy aims to ensure individuals:

- can feel confident in raising serious concerns and to question and act upon concerns about practice
- are provided with avenues to raise concerns and receive feedback on any action taken
- receive a response to their concerns and are aware of how to pursue the matter further if they are not satisfied with the outcome
- can be reassured that they will be protected from reprisals or victimisation if they make a disclosure
- are aware that, in the case of KCC employees, a false or malicious disclosure will be addressed in accordance with the KCC Disciplinary Procedure.

Scope

The Whistleblowing Policy applies to all employees, agency workers, volunteers and those contractors working on KCC premises (e.g. cleaners, builders and drivers etc.) Suppliers and those providing services under a contract with KCC in their own premises are also covered by the policy.

Concerns that are raised will be addressed in accordance with the associated whistleblowing procedure and these can include matters such as:

- conduct which is, has been or is likely to be an offence or breach of law
 - conduct that has occurred, is occurring or is likely to occur the result of which KCC fails to comply with a legal obligation. For example unauthorised use of public funds, possible fraud and corruption, sexual or physical abuse of clients, or other unethical conduct discrimination of any kind and waste/frivolous expenditure
 - disclosures related to past, current or likely miscarriages of justice
 - past, current or likely health and safety risks, including risks to the public as well as other employees (see below)
 - past, current or likely damage to the environment
 - concerns about any aspect of service provision
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- other concerns regarding the conduct (including breaches of known standards or KCC's Standing Orders) of officers or KCC Members or others acting on behalf of the KCC

KCC's Safety Complaints Procedure should be used to raise any issues, concerns or complaints of a health and safety nature and which are not confidential.

If employees wish to raise a concern regarding issues relating to their own employment, the KCC Resolution Procedures should be used. Further information on this procedure can be found on KNet.

Confidentiality

All concerns raised will be treated in confidence and every effort will be made not to reveal the individual's identity if this is their wish. However, in certain cases, it may not be possible to maintain confidentiality if the individual is required to come forward as a witness.

Anonymous Allegations

Concerns expressed anonymously are much less powerful than those that are attributed to a named individual. However anonymous allegations will be considered and investigated at KCC's discretion. In exercising the discretion, the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

Untrue Allegations

Disciplinary action will only be taken against individuals who knowingly make false, malicious or vexatious allegations.

Bribery Act 2010

KCC has a zero tolerance approach to acts of bribery and corruption. Any instances of suspected bribery and corruption must be reported. If you do not feel able to report your concerns to your line manager, the Whistle Blowing Procedure can be used to confidentially raise this matter.

How to Raise a Concern

General

Concerns can be raised verbally or in writing. A concern raised in writing should:

- set out the background and history of the concern, giving names, dates and places where possible
- give the reason why you are particularly concerned about the situation

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

A trade union or professional association may raise a matter on behalf of an employee.

Step One – Raising a Concern

Whenever possible you should raise your concern with your immediate manager or his/her manager. If this is not appropriate, you should approach the following according to the nature of the concern:

Business Strategy & Support

Geoff Wild

Geoff.wild@kent.gov.uk

01622 694302

Enterprise & Environment

Paul Crick

Paul.crick@kent.gov.uk

01622 221527

Education, Learning & Skills

Hilary Williams

Hilary.williams@kent.gov.uk

01622 694031

Families & Social Care

Daniel Waller

Daniel.waller@kent.gov.uk

01622 696344

Customer & Communities

Judy Doherty

Judy.doherty@kent.gov.uk

01622 221327

Senior Management contact points

David Cockburn (Head of Paid Service)

david.cockburn@kent.gov.uk

01622 694000

Janet Armstrong (Senior Auditor Manager)

Janet.armstrong@kent.gov.uk

01622 694567

Independent Helpline

Public concern at work

020 7040 6609

KCC has an Anti Fraud and Corruption Policy Statement and all suspected financial irregularities must be reported to the Chief Internal Auditor.

Step Two - How KCC will respond

The action KCC takes will depend on the nature of the concern. The matters raised may:

- be investigated internally by management, Internal Audit or through the disciplinary or other internal process
- be referred to the Police
- be referred to the External Auditor
- form the subject of an independent inquiry.

In order to protect individuals and KCC, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (e.g. 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.

You will be written to within ten working days:

- acknowledging that the concern has been received
- indicating how KCC proposes to deal with the matter
- giving an estimate of how long it will take to provide a final response
- informing you if any initial enquiries have been made
- whether further investigations will take place and, if not, why not

Contact

The amount of contact between the officers 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. If necessary, further information will be sought.

Attending Meetings

When any meeting is arranged you have the right to be accompanied by a trade union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

Support

KCC will take steps to minimise any difficulties you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, KCC will advise or arrange for you to have advice about the procedure.

KCC will not tolerate harassment or victimisation (including informal pressures) and will take action to protect individuals who raise a concern in good faith.

KCC accepts that you need to be assured that concerns will be properly addressed and, subject to legal constraints, will provide information about the outcomes of any investigations.

How The Matter Can Be Taken Further

This procedure is intended to provide individuals with an avenue to raise concerns within KCC. If you are not satisfied, and feel it is right to take the matter further, the following are possible contact points:

- Public Concern at Work 020 7404 6609
- Audit Commission 020 7630 1019
- local Kent County Council member
- relevant professional bodies or regulatory organisations
- a solicitor
- the Police

If a matter is taken outside KCC, you must take all reasonable steps to ensure that confidential or privileged information is not disclosed. If in doubt, check with the named KCC contacts.

Public Interest Disclosure

Public Interest Disclosure Act 1998 gives employees two safeguards in respect of disclosures of information.

- An employee is entitled not be subjected to any detriment by virtue of having made a protected disclosure.
- The dismissal of any KCC employee directly due to the individual having made such a disclosure will automatically be unfair

Alternative Formats

This document is available in other formats and languages call 03000 416409 or email EmploymentPolicyTeam@kent.gov.uk for further details.

[Connect2Kent](#) interpreting and translations services can help us explain services to people if their first language is not English. Call on 0845 365 1645 an English-speaking operator will take details of your requirements and arrange a translation or interpreting service. You may need an English-speaking friend or a family member to help you with this.