

WHISTLEBLOWING POLICY

Introduction

The Staff and Governors of the Schools seek to run all aspects of business and activity with full regard for the high standards of conduct and integrity. In the event that members of staff, parents, governors or the school community at large become aware of activities which give cause for concern, the Schools have established the following whistleblowing policy, or code of practice. This will act 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 whistleblowing denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the Second Report of the Committee on Standards in Public Life: Local Spending Bodies published in May 1996.

The Schools are committed to tackling fraud and other forms of malpractice and treats these issues seriously. They recognize that some situations may be extremely sensitive and have 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.

The Schools are 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 provision of this policy applies to matters of suspected fraud and impropriety and not matters of more general grievance, which would be dealt with under the grievance procedures.

When might the whistleblowing policy apply?

The type of activities or behaviour, which should be 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 or deceit
- serious breaches of procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest).
- behaviour likely to bring the organisation into disrepute or attract public opprobrium.

What action should the whistleblower take?

The whistleblower should raise the matter internally in the first instance to allow those school staff and governors in position of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

A number of individuals have been designated specifically to deal with such matters and the whistleblower is invited to decide which of the individuals would be the most appropriate person to deal with the matter.

(1) For school-based staff

Principal;

Chairman of Governors; c/o the Foundation Office

Clerk to the Governors; c/o the Foundation Office

(2) For staff not attached to any school or for matters not pertaining to any school.

The Secretary to the Governors;

The Chairman of the Governors' Advisory Committee; c/o the Foundation Office

The Chairman of the Finance and Estate Committee; c/o the Foundation Office

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 individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

Alternatively if the whistleblower considers the matter too serious or sensitive to raise within the internal environment the matter should be directed in the first instance to:

The Bailiff of the Schools of King Edward the Sixth in Birmingham

Foundation Office

Edgbaston Park Road

Birmingham B15 2UD

The Bailiff will develop procedures for dealing with such matters and will make every effort to respect the confidentiality of the whistleblower. The Bailiff will ensure relevant external bodies are informed if necessary.

In addition information and advice can be obtained from the charity Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows:

Public Concern at Work

Suite 306

16 Baldwins Gardens

London

EC1N 7RJ

Telephone Number: 0171 404 6609

How will the matter be processed?

The individuals(s) in receipt of the information or allegation (the investigating officer(s)) will carry out the preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern is justified 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, the school's external auditors, legal or personnel advisors, the police, the department for Education and Employment, the Charity Commissioners.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with a governing body/committee, 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 results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the appropriate governing body/committee.

If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigating officer(s) or the appropriate governing body/committee.

Respecting confidentiality

Wherever possible the Schools seek to respect the confidentiality and anonymity of the whistleblower and will as far as possible protect him/her from reprisals. They will not tolerate any attempt to victimise the whistleblower or attempts to prevent concern being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

Raising unfounded malicious concerns

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. Matters raised anonymously, however, fall outside this procedure. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and will constitute a disciplinary offence and require some form of penalty appropriate to the circumstances.

Conclusion

Existing good practice within the Foundation in terms of its systems of internal control both financial and non-financial and the external regulatory environment in which the organization operates 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. This document is a public commitment that concerns are taken seriously and will be actioned.