

# Ben Jonson Primary School



## Whistleblowing Policy 2019-2020

**Date reviewed:** 09/05/2019

**Signed:** \_\_\_\_\_

**Date due for review:** May 2020

## INTRODUCTION

The staff and governors of Ben Jonson Primary School seek to run all aspects of the school in accordance with high standards of conduct and integrity.

In the event that members of school staff, parents, governors or the school community at large become aware of activities which give cause for concern, Ben Jonson School has established the following whistleblowing policy, which 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 of 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.

Ben Jonson Primary School is committed to tackling fraud, failure to comply with school policies and other forms of malpractice, and treats these issues seriously. Ben Jonson Primary School recognises that some concerns may be extremely sensitive and has therefore developed a system that allows for the confidential raising of concerns within the school environment but also provides recourse to an external party outside the management structure of the school.

Ben Jonson Primary School is committed to creating a climate of trust and openness so that a person who has 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 do not apply to more general grievances, which can be addressed under the Ben Jonson Primary School Grievance policy.

## WHEN MIGHT THE WHISTLEBLOWING POLICY APPLY?

The type of activity 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
- Abuse of recruitment procedures
- Any type of criminal activity
- Abuse of position
- Fraud and deceit
- Serious breaches of school policies and procedures which may advantage or disadvantage a particular party (for example tampering with tender documentation, failure to register a personal interest, interference with examination papers, recruitment issues, inappropriate offering of, or acceptance of gifts and hospitality etc.)

## BEHAVIOURAL SIGNS OF FRAUD AND THE IMPORTANCE OF IDENTIFYING FRAUD EARLY ON

It is impossible to gain 100% protection from fraud. Anybody who is intent on committing fraud could potentially find a way. Similarly, school staff will generally be exceptionally trustworthy, however things can sometimes go wrong.

Research by the Association of Certified Fraud Examiners (2014) suggests that in 92% of the nearly

1,500 cases of fraud they reviewed across occupational backgrounds and global regions, at least one common and detectable behavioural 'red flag' was present prior to making the discovery.

The research also highlights in financial terms the importance of early detection, whereby the average loss is significantly smaller in cases where fraud is detected within the first 6 months compared to longer-term frauds which can sometimes extend beyond 4-5 years. Obviously the longer the fraudster has to extract financial resources from your school, then the more likely it is that the cost will be higher.

The behavioural 'reg flags' in perpetrators are as follows, and of course, more than one of these could be present as part of a multitude of reasons for carrying out the fraud:

- Living beyond their apparent means
- Financial difficulties
- Having unusually close associations with a customer or vendor
- Displaying control issues or an unwillingness to share duties
- Attitudes which indicate unscrupulous behaviour

\*From Institute of School Business Leaders "Fraud Factsheet"

[https://isbl.org.uk/PublicDocuments/120129.6675119Final\\_Fraud%20factsheet.pdf](https://isbl.org.uk/PublicDocuments/120129.6675119Final_Fraud%20factsheet.pdf)

#### WHAT ACTION SHOULD THE WHISTLEBLOWER TAKE?

Ben Jonson Primary School encourages the whistleblower to raise the matter internally in the first instance to allow those school staff and governors in a position of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

Ben Jonson Primary School has designated a number of 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.

Name and Position	Contact details
Monica Forty – Headteacher	020 7790 4110
Dharmendra Nair– Chair of Governors	020 7790 4110

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 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 of the school, the matter should be directed in the first instance to the [London Borough of Tower Hamlets, Chief Internal Auditor on 020 7364 5000](#).

The London Borough of Tower Hamlets has its own procedures for dealing with such matters and will ensure every effort to respect the confidentiality of the whistleblower. The LA will ensure relevant officers of the Department for Education are informed as appropriate.

In addition information and advice can be obtained from the charity **Public 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 Concerns at Work  
Suite 306  
16 Baldwin Gardens  
London EC1N 7RJ

Tel No. 020 3117 2520

### **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, legal or personnel advisors, the police, the Department for Education, the London Borough of Tower Hamlets.

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 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 governing body and the London Borough of Tower Hamlets.

### **RESPECTING CONFIDENTIALITY**

Wherever possible Ben Jonson Primary School seeks to respect the confidentiality and anonymity of the whistleblower and will as far as possible protect him/her from reprisals. Ben Jonson Primary School will not tolerate any attempt to victimise the whistleblower or attempts to prevent concerns 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. 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.

### **PUBLICISING THE POLICY**

This policy will be issued to all school staff each year, and published on the school's website.

### **CONCLUSION**

Ben Jonson Primary School has policies and systems of internal control, both financial and non-financial, and operates in an external regulatory environment designed to ensure that cases of suspected fraud or other impropriety rarely occur. This whistleblowing policy is our public commitment that concerns will be taken seriously and will be actioned, protecting the whistle blower to the maximum extent possible.