

P19 WHISTLEBLOWING

St Dunstan's Educational Foundation (the 'Foundation') is committed to conducting its business with honesty and integrity, and expects all Staff to maintain high standards in accordance with their contractual obligations and the Foundation's policies and procedures from time to time in force.

However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

The aims of this policy are:

- To encourage Staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- To provide Staff with guidance as to how to raise those concerns;
- To reassure Staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of Staff at the Foundation and the Foundation reserves the right to amend its content at any time. This Policy reflects the Foundation's current practices and applies to all individuals working at all levels of the organisation, including the Headmaster, Bursar, Heads of Department, members of the College Leadership Team, officers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term workers, casual and agency Staff (collectively referred to as "Staff" in this policy) who are advised to familiarise themselves with its content.

What is whistleblowing?

Whistleblowing is the disclosure of information that relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity;
- poor or unsafe practice;
- potential failure of child protection and/or safeguarding practice;
- miscarriages of justice;
- danger to health and/or safety;
- damage to the environment;
- failure to comply with any legal or professional obligation or regulatory requirements;
- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures including our Code of Conduct;
- conduct likely to damage the Foundation's reputation;
- unauthorised disclosure of confidential information;
- the deliberate concealment of any of the above matters.

A whistleblower is a person who raises a genuine concern that they believe is in the public interest relating to any of the above. If the member of Staff has any genuine concerns related to suspected wrongdoing or danger affecting any of the Foundation's activities (a whistleblowing concern) they should report it under this policy.

This policy should not be used for complaints relating to Staff's own personal circumstances, such as the way they have been treated at work. In those cases they should use the Grievance Policy and Procedure or Anti-harassment and Bullying Policy as appropriate.

If Staff are uncertain whether something is within the scope of this policy they should seek advice from the Bursar or Headmaster.

Raising a whistleblowing concern

The College hopes that in many cases Staff will be able to raise any concerns with their Line Manager and/or Head of Department speaking to them in person or putting the matter in

ISI 7b - Whistleblowing

writing if prefer. They may be able to agree a way of resolving the concern quickly and effectively.

However, where the matter is more serious, or the Line Manager/Head of Department has not addressed the concern, or the member of Staff would prefer not to raise it with them for any reason, then they should contact one of the following:

- The Bursar or the Headmaster
- The Headmaster, if the matter concerns the Bursar; or the Bursar if the matter concerns the Headmaster.
- Alternatively, if a member of Staff feels the situation is significant and they wish to contact a member of the Governing Body this is also acceptable at any point.

Nicholas Hewlett	Headmaster	headmaster@sdmail.org.uk
Clair Wilkins	Bursar and Clerk to Governors	bursarandclerk@sdmail.org.uk
Paul Durgan	Chairman of the Board	chairman@sdmail.org.uk
Ian Davenport	Deputy Chairman	deputychairman@sdmail.org.uk
Victoria Alexander	Safeguarding Governor	safeguardinglinkgovernor@sdmail.org.uk
Jade McLellan	DSL	jmclellan@sdmail.org.uk

The Foundation will arrange a meeting with the member of Staff as soon as possible to discuss their concern. Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

The Foundation will take down a written summary of the concern raised and provide the member of the Staff with a copy as soon as practicable after the meeting. The Foundation will also aim to give the member of Staff an indication of how we propose to deal with the matter.

Confidentiality

The Foundation hopes that Staff will feel able to voice whistle blowing concerns openly under this policy. However, if a member of Staff wants to raise their concern confidentially, the Foundation will endeavour to keep their identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of

ISI 7b - Whistleblowing

Staff's concern to know their identity, the Foundation will discuss this with the member of Staff first.

The Foundation does not encourage Staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the Foundation cannot obtain further information. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality. **It is important to the Foundation that staff feel valued, supported and able to raise concerns.**

If a member of Staff is in any doubt they can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Public Concern at Work

Helpline: (020) 7404 6609

(Independent whistleblowing charity)

E-mail: whistle@pcaw.co.uk

Website: www.pcaw.org.uk

Investigation and outcome

Once a member of Staff has raised a concern, the Foundation will carry out an initial assessment to determine the scope of any investigation. The Foundation will inform the member of Staff of the outcome of its assessment. The member of Staff raising the concern may be required to attend additional meetings in order to provide further information.

In some cases the Foundation may appoint an investigator or team of investigators including Staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the Foundation to minimise the risk of future wrongdoing.

The Foundation will aim to keep the member of Staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Foundation from giving specific details of the investigation or any disciplinary action taken as a result. The member of Staff is required to treat any information about the investigation as strictly confidential.

ISI 7b - Whistleblowing

If the Foundation concludes that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action under the Foundation's Disciplinary Policy and Procedure.

If you are not satisfied

Whilst the Foundation cannot always guarantee the outcome a particular member of Staff is seeking, the Foundation will try to deal with the concern fairly and in an appropriate way. If a member of Staff is not happy with the way in which their concern has been handled, they can raise it with one of the other key contacts outlined above.

External disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases Staff should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for Staff to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage a member of Staff to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Whistleblowing concerns usually relate to the conduct of Foundation Staff, but they may sometimes relate to the actions of a third party, such as a service provider. In some circumstances the law will protect you if you raise the matter with the third party. However, Staff are encouraged to report such concerns internally first. Staff should contact one of the other individuals set out above for guidance.

Protection and support for whistleblowers

It is understandable that whistleblowers are sometimes worried about possible repercussions. The Foundation aims to encourage openness and will support Staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

ISI 7b - Whistleblowing

Staff must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of Staff believes that he or she has suffered any such treatment, he or she should inform the Bursar immediately. If the matter is not remedied the member of Staff should raise it formally using the Foundation’s Grievance Policy and Procedure.

Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

All Staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Bursar in the first instance.

Author/s:	Judicium Clair Wilkins Sara Hopkins	Date Reviewed:	Michaelmas 2018
Date Ratified:	Michaelmas 2018 Minor amendment made in September 2019 following the KCSiE 2019 update	Next Review Date:	Michaelmas 2020
Committee:	Governing Body	Clerk to the Governors Signature:	