



# WHISTLEBLOWING

Reviewed by: MM Turnbull, Headmaster  
CA San Jose, DSL Senior School and Deputy Head

Review period: Annual  
Updated: August 2021  
Approved by: Governors' Boarding & Wellbeing Committee, October 2021 - pending  
Next review date: August 2022

Guidance: *Working Together to Safeguard Children* (2018); *KCSIE* (2021)

Linked Policies: Staff Code of Conduct; Safeguarding Policy & Procedures



The school has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, unsafe practice and potential failures in the school's safeguarding regime, criminal offences, miscarriages of justice, and failure to comply with legal obligations, inappropriate behaviour or unethical conduct. The policy also provides if necessary, for such concerns to be raised outside the organisation.

The school promotes an open culture of safety and learning and encourages all members of the community to raise any concern as soon as it arises. A culture of reporting low level concerns is encouraged because it is essential in enabling reflection that improves practice.

Those who raise concerns are valued and supported; they can expect a prompt and proportionate response.

All staff are made aware of this policy as part of the induction process. Safeguarding training specifically includes whistleblowing and reporting low level concerns.

## **1. Policy**

The school's policy on whistleblowing is intended to demonstrate that the school:

- Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.
- Will not tolerate malpractice;
- Respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively;
- Will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
- Will invoke the school's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations;

## **2. Procedure**

This procedure is separate from the school's adopted procedures regarding grievances. Employees should not use the whistleblowing procedure to raise grievances about their personal employment situation.

This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the school.

Malpractice is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of conduct, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment.

## **3. Confidentiality**

Employees who wish to raise a concern under this procedure are entitled to have the matter treated confidentially and their name will not be disclosed to the alleged perpetrator of malpractice without their prior approval. It may be appropriate to preserve confidentiality that concerns are raised orally rather than in writing, although members of staff are encouraged to express their concern in writing wherever possible. If there is evidence of criminal activity, the Police will, in all cases, be informed.

## **4. The Investigation**

A member of staff will be at liberty to express their concern to the Headmaster or Head of the Junior School or a Deputy Head or the Bursar.



Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The member of staff making the allegation will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the Resolution.

A member of staff who is not satisfied that their concern is being properly dealt with will have a right to raise it in confidence with the Governors.

## **5. External Procedures**

Where all internal procedures have been exhausted, or staff and volunteers feel unable to raise an issue with the School, or feel that their genuine concerns are not being addressed, they may use other whistleblowing channels.

A member of staff shall have a right of access to an external person/body. This may include (depending on the subject matter of the disclosure) HMRC, the Audit Commission, the Health and Safety Executive and/or the local Designated Officer (LADO) where the disclosure relates to a child protection issue.)

The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 (Monday to Friday 08:00 to 20:00) or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a member of staff may be entitled to raise a concern directly with an external body where the employee reasonably believes:

- That exceptionally serious circumstances justify it
- That the School would conceal or destroy the relevant evidence
- Where they believe they would be victimised by the school
- Where the Secretary of State has ordered it

## **6. Malicious Accusations**

False, malicious, vexatious or frivolous accusations will be dealt with under the school's Disciplinary Procedure.

## **7. Protection from Reprisal or Victimisation**

No member of the staff will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and following the Whistleblowing procedures.

**CA San Jose, Deputy Head**