



Policy

Whistleblowing Policy

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1. **About this Policy**

Oakham School has adopted this policy and process on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice and failure to comply with legal obligations or unethical conduct. The policy also provides if necessary, for such concerns to be raised outside the organisation.

The School is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards. 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 and to address them when they do occur.

1.1 The aims of this policy are:

- (a) To encourage staff to report suspected wrongdoing as soon as possible;
- (b) To reassure staff that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- (c) To reassure staff that they are able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken;
- (d) To provide staff with guidance as to how to raise those concerns.

1.2 This policy applies to all individuals working for the School and covers all employees, officers, consultants, contractors, volunteers, casual workers and agency workers.

1.3 This policy does not form part of any employee's contract of employment and it may be amended at any time.

2. **Personnel Responsible for the Policy**

2.1 The Director of People has overall responsibility for the review and day-to-day operational responsibility for this policy.

2.2 All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

3. **What is Whistleblowing?**

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

- (a) criminal activity;
- (b) failure to comply with any legal or professional obligation or regulatory requirements;
- (c) miscarriages of justice;
- (d) danger to health and safety;
- (e) damage to the environment;
- (f) bribery under our Anti-corruption and Bribery Policy;
- (g) financial fraud or mismanagement;
- (h) negligence;
- (i) unauthorised disclosure of confidential information;
- (j) other work-place specific concerns;
- (k) the deliberate concealment of any of the above matters.

3.2 A **whistleblower** is a person who raises a genuine concern relating to any of the above. If an individual has any genuine concerns related to suspected wrongdoing or danger affecting any of the School's activities (a **whistleblowing concern**), it should be reported under this policy.

3.3 This policy should not be used for complaints relating to individual personal circumstances, such as the way an individual may have been treated at work. In those cases an individual can use the Grievance Procedure or Anti-harassment and Bullying Policy as appropriate.

3.4 If an individual is uncertain whether something is within the scope of this policy advice should be sought from the Director of People or the HR Manager.

4. Raising a Whistleblowing Concern

4.1 In the first instance, the School recommends that an individual raises any concerns with their Line Manager, the Director of People or the HR Manager. An individual may have a verbal discussion regarding their concern or submit the concern in writing. An individual is encouraged to adopt this approach, initially, as agreement could be reached to resolve the concern(s) quickly and effectively.

4.2 Where the matter is more serious, or an individual feels that the concern(s) have not been addressed by the above managers, an individual should contact one of the following:

- (a) The Headmaster;
- (b) A Deputy Head;

- (c) Chief Operating Officer.

Where all internal procedures have been exhausted, or if a concern(s) relates to the above role holders, the matter should be referred to the Chairman of the Trustees.

An individual may also seek guidance or refer the matter through Public Concern at Work, who can be contacted via their website (www.pcaw.co.uk) or email whistle@pcaw.co.uk, telephone 0207 404 6609.

5. Confidentiality

- 5.1 The School hopes that staff will feel able to voice whistleblowing concerns openly under this policy. However, if an individual wishes to raise a concern(s) confidentially, the School will make every effort to keep the individuals' identity private. If it is necessary for anyone investigating a concern(s) to know an identity, then a further discussion will take place.
- 5.2 The School do not encourage staff to make disclosures anonymously as this may make a full investigation difficult or impossible if further information cannot be obtained. In this case it may also be 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 the Director of People or the HR Manager and appropriate measures will be explored to see if confidentiality can be preserved. An individual can seek advice from Public Concern at Work, the independent whistleblowing charity detailed in 4.2.

6. Investigation and Outcome

- 6.1 Once an individual has raised a concern(s), the person contacted will carry out an initial assessment to determine the scope of any investigation. An individual will be informed of the outcome of their assessment. An individual may be required to attend a fact finding meeting(s) in order to provide further information.
- 6.2 In some cases the School 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 School to minimise the risk of future wrongdoing.
- 6.3 Following the initial assessment, if the decision is taken for a full investigation to take place, then the investigator will arrange a meeting with the individual as soon as possible to discuss the concern(s) raised. An individual may bring a colleague or union representative to any meetings under this policy. A companion is required to respect the confidentiality of any disclosures and any subsequent investigation.

- 6.4 The investigator will take down a written summary of the raised concern(s) and provide the individual with a copy after the meeting. They will also aim to give the individual an indication of how they propose to deal with the matter.
- 6.5 The School will aim to keep an individual informed of progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the School giving an individual specific details of the investigation or any further action taken as a result. All parties are required to maintain confidentiality about the raised concerns, investigation and outcomes.
- 6.6 If the investigation concludes that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.

7. If an Individual is Not Satisfied

- 7.1 While the School cannot always guarantee the outcome an individual may be seeking, the School will deal with all concerns raised fairly and in an appropriate manner. The policy provides the appropriate mechanism for concerns to be raised and investigated in a thoroughly.
- 7.2 If an individual is not happy with the way in which their concern has been handled, they should raise it with one of the other key contacts in paragraph 4, outlining clear reasons why they are dissatisfied. Alternatively an individual may contact the chairman of the Trustees, Neil Gorman, ng@oakham.rutland.sch.uk, or our external auditors.

8. External disclosures

- 8.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases an individual would not find it necessary to alert external parties.
- 8.2 The law recognises that in some circumstances it may be appropriate for an individual to report concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. The School strongly encourage an individual to seek advice before reporting a concern to any external parties. 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.
- 8.3 Whistleblowing concerns usually relate to the conduct of staff, but they may sometimes relate to the actions of a third party. In some circumstances the law will protect an individual if a matter is raised with the third party directly. However, the

School encourages individuals to report such concerns internally first. The named contacts are the Director of People, the HR Manager or one of the other individuals set out in paragraph 4.

9. Protection and Support for the Whistleblower

- 9.1 The School recognise that a decision to report a concern may be a difficult decision to make. If an individual reasonably believes what they are saying is true they should report the concern in the appropriate manner and in line with the guidance in section four. The School aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 9.2 Whistleblowers 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 an individual believes they have suffered any such treatment, they should inform the Director of People or the HR Manager immediately and the matter will be looked into further. If the matter is not remedied an individual can raise the matter under the School's Grievance Procedure.
- 9.3 Whistleblowers must not be threatened or retaliated against in any way. If any individual is involved in such conduct they may be subject to disciplinary action. Whistleblowers could have a right to sue an individual personally for compensation in an employment tribunal.

March 2022, Director of People

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