



WHISTLEBLOWING POLICY

Last Review: February 2022
Committee: PSW
Date Ratified: 17/02/2022

1. Purpose

- 1.1. The staff and Governors seek to run all aspects of School business and activity with full regard for high standards of conduct and integrity. We encourage an open culture in all our dealings and effective and honest communication is essential if malpractice is to be effectively dealt with. The policy provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion. As a School we have a responsibility to safeguard and promote the welfare of children, this includes encouraging staff to raise concerns about possible child abuse.
- 1.2. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. The School would expect that in almost all cases, raising the concern internally would be the most appropriate course of action and you should not find it necessary to alert anyone externally.
- 1.3. However, if for whatever reason, you feel you cannot raise your concern internally and you reasonably believe the information and any allegations are substantially true, the law recognises that in some circumstances it may be appropriate for you to report your concern to another prescribed person, such as a regulator or professional body. It will very rarely, if ever, be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone externally.

2. Content

- 2.1. The School is committed to tackling fraud and other forms of malpractice and treats these issues seriously.
- 2.2. The School recognises that some concerns may be extremely sensitive and has 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 School management structure of the School. The School is 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.

2.3. The Public Interest Disclosure Act 1998 (commonly known as the 'Whistle Blowing Act') protects employees and workers who raise legitimate concerns about specified matters from being dismissed by the School or being subjected to detrimental treatment or victimised by either the School or colleagues as a result, provided certain criteria are met. Certain kinds of disclosures qualify for protection and these are set out below. These are disclosures of information where an employee or worker reasonably believes are made in the public interest and tend to show one or more of the following relevant failures is either happening now, took place in the past, or is likely to happen in the future.

- A criminal offence has been committed including offences such as theft, fraud or acts of bribery
- A person has failed, is failing, or is likely to fail to comply with a legal obligation which they are subject to
- A miscarriage of justice
- A danger to health and safety of any individual
- Damage to the environment
- Deliberate covering up of information tending to show any of the above five matters

2.4. The procedure is not a channel for employees to raise matters in relation to their terms and conditions of employment or for complaints relating to personal circumstances. In these circumstances the Grievance or Anti-harassment and bullying Policy (staff) should be followed.

2.5. Anyone who is unsure whether something is within the scope of the policy should contact the Headteacher or if this is about the Headteacher, the Chair of Governors.

2.6. The procedure ensures that individuals have their concerns treated in confidence.

2.7. This policy should be noted in conjunction with the Safeguarding and Child Protection Policy

3. Your protection:

3.1. If you raise a genuine concern, you will not be at risk of damaging your position as a result. Provided you are acting in the public interest it does not matter whether or not your concern proves to be well founded. You must however make your complaint to the right person and in the right way as detailed in this policy. The School does not of course extend this assurance to someone who acts from an improper motive and raises a matter they know to be untrue.

4. Your confidence:

4.1. No member of staff must threaten or retaliate against an individual who has raised a concern in any way. The School will not tolerate the victimisation of anyone raising a genuine concern and anyone responsible for such conduct will be subject to disciplinary action. You may decide that you want to raise a concern in confidence. Therefore, if you ask for your identity to be protected, it will not be disclosed without your consent. If a situation arises where it is not possible to deal with the concern without revealing your identity (for instance because your evidence is needed in court or a disciplinary hearing), there will be a discussion as to whether and how we can proceed.

- 4.2. Although a concern may be made anonymously, the School encourages staff to put their name to their allegation whenever possible. Concerns that are expressed completely anonymously are much less powerful and proper investigation may be much more difficult or impossible. It is also much more difficult to establish whether any allegations are credible and to protect your position or to give feedback on the outcome of investigations.
- 4.3. The School will consider anonymous concerns at its discretion, taking into account factors such as the seriousness of the issue raised, the credibility of the concern and the likelihood of confirming the allegation from other sources
- 4.4. 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.

5. How to raise your concern

- 5.1. If you have a concern about malpractice, you should raise this with the Headteacher. This should be done in writing. It will help if you state the facts of the matter clearly. If you have a direct or personal interest in the matter, you should also tell us at this stage.
- 5.2. If you feel unable to raise the matter with then Headteacher, for whatever reason, please contact the Chair of Governors or the Chair of Personnel and Student welfare.
- 5.3. If the matter involves all of the above, then then the matter should be raised with the Office of the Regional Schools Commissioner.
- 5.4. If you want to raise the matter in confidence we will ensure that practical measures are put in place to protect your identity. We will contact you by the most secure means. We will not disclose your identity without your consent, unless we are required to do so by law.
- 5.5. Once you have reported your concern, the School will look into it to assess initially what action should be taken. If your concern falls more appropriately within other policies we will tell you. Either your line manager or an individual nominated by the person who took your complaint will be asked to carry out the investigation.
- 5.6. As soon as possible after a concern has been raised (normally within 10 working days) the School will write you to acknowledge the issue that has been raised and to indicate the future course of action.
- 5.7. The individual in receipt of the information or allegation or other appropriate individual, will carry out an investigation. This may include externally appointed persons. This investigation will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. As part of the process you may be interviewed and asked to provide a written statement.
- 5.8. If a meeting is arranged with you then you will have the right to be accompanied by either a trade union representative or colleague.
- 5.9. Key factors to be taken into account when investigating allegations are the seriousness of the issues raised and the credibility of the concern and likelihood of confirming the allegations. 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 or the Department for Education (DfE).

- 5.10. Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer, possibly in conjunction with the governing body, will consider how best to report the findings and what corrective action needs to be taken.
- 5.11. Once the School has finalised the investigation any necessary action will be taken.
- 5.12. While the purpose of this policy is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can. If requested, we will confirm our response to you in writing. Please note, however, that we may not be able to tell you the precise action we take where this would infringe a duty of confidentiality owed by us to someone else. Any information disclosed must be treated as strictly confidential.
- 5.13. If the School concludes that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower may (where they are an employee) be subject to disciplinary action under the School's Disciplinary Policy and Procedure.

6. If you are dissatisfied

- 6.1. If you are unhappy with the School's response, you may then approach the Regional Schools Commissioner. However, we do ask that matters are reported to the School in the first instance, either to the investigator or the Governing body. While we cannot guarantee that we will respond to all matters in the way that you might wish, the matter will be handled fairly and properly. By using this policy, you will help us to achieve this.

7. Contacts

Headteacher	Steven Mackay s.mackay@oldfieldschool.com
Chair of Governors	Tahir Darr Contact via school website
Chair of Personnel and Student Welfare Committee	Ashley Russell Contact via school website
Public Concern at Work (Independent whistle-blowing charity)	Helpline: (020) 7404 6609 E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk