



WHISTLEBLOWING POLICY

1 Introduction

"Whistleblowing is the reporting of a concern that something is happening within an organisation which shouldn't be, or not happening that should be, which may include wrongdoing or relate to the way the organisation is run. Examples include inappropriate conduct, unethical behaviour and a danger to health and safety, but this is not exhaustive."

Barnado's –Speak out if you have a concern (2005)

This policy is the formal statement of intent for whistleblowing and meets the terms of the Public Interest Disclosure Act 1998 and its implementation is the responsibility of all staff. This policy is written to ensure all that anyone can report a concern without fear of victimisation, subsequent discrimination or disadvantage.

The primary area of concern relates to children's welfare and safeguarding. In such cases, this document should be read in conjunction with the school's Safeguarding and Child Protection Policy, which also lists further sources of advice and guidance. The key principles of which staff should be aware are laid out in the statutory guidance: Keeping Children Safe in Education (KCSIE) (September 2018).

2 Aims and Objectives

Each individual within the school has a responsibility for raising concerns about unacceptable practice or others or to prevent becoming implicated him/herself.

This policy aims to:

- set out a clear mechanism by which concerns can be raised
- promote a non-hierarchical culture which is approachable, supportive and protective
- encourage people to feel confident in raising serious concerns and to question and act upon concerns about practices
- provide avenues for people to raise concerns and receive feedback on any action taken
- ensure everyone receives a response to any concerns raised
- reassure individuals that they will be protected from possible reprisals or victimisation if they have a reasonable belief and have made the disclosure in good faith.

There are existing procedures to log a complaint or grievance; this policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- possible fraud/corruption
- failure to comply with codes of practice
- conduct which is an offence or a breach of statutory law
- a criminal offence being committed (past, present or likely to be committed)
- unauthorised disclosure of confidential information
- health and safety risks, including risks to the public as well as employees
- damage to the environment
- sexual or physical abuse or other inappropriate or harmful conduct towards a child (or children), including but not confined to:
 - Bullying, humiliation or any other kind of abuse
 - Contravening health and safety guidelines in place to protect children

- Professional practice that falls short of normally accepted standards
 - Serious breaches of the school's relevant Staff Code of Conduct
 - Compromising pupils' welfare, but in a way that does not meet the threshold for child protection intervention
- Or that they have concealed or are attempting to conceal any of the above.
- other unethical conduct.

3 Assurances to All Employees

The school is committed to good practice and high standards and wants to be supportive of all staff members. It is recognised that the decision to report a concern can be a difficult one to make. Disclosures made in good faith under this policy will be treated confidentially, seriously and sensitively. Requests for anonymity, where made, will normally be met, but there may be circumstances such as prosecutions or disciplinary investigations where those making disclosures may be asked to come forward as a witness.

The school will not tolerate any harassment or victimisation (including informal pressure) and will take appropriate action to protect employees when they raise a concern in good faith.

Under the Public Interest Disclosure Act 1998, where a staff member has made a 'qualifying disclosure' it is unlawful to dismiss or subject the employee to any detriment as a result of the disclosure. A 'qualifying disclosure' means any disclosure of information which, in the reasonable belief of the employee making the disclosure, tends to show one or more of the following:

- a criminal offence has been committed, is being committed or is likely to be committed
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he/she is subject
- a miscarriage of justice has occurred, is occurring or is likely to occur
- the health or safety of any individual has been, is being or is likely to be endangered
- the environment has been damaged, is being damaged or is likely to be damaged
- information tending to show any matter falling within any one of the preceding points has been, is being or is likely to be deliberately concealed

In addition, a person making a disclosure is protected in law provided they:

- Do so in the public interest
- Do so to an appropriate person e.g. their line manager, Head of Department, The Head, Wishford CEO (Sam Antrobus) or a relevant external person such as the Local Authority Designated Office.
- Reasonably believe that the information disclosed and any allegation contained in it, are substantially true.

4 Untrue Allegations

If an employee makes an allegation in good faith, but it is not substantiated, no action will be taken against the whistleblower. However, where an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken.

5 How to Raise a Concern

If a teacher or member of staff has concerns about the behaviour of another member of staff towards a pupil, he or she should report it at once to the Head, or to the Proprietor where the concern relates to the Head. Such concerns will then be treated in accordance with the procedure set out in the Safeguarding Policy.

All other concerns should also be raised with the Head. This can be verbally or in writing. He/she will decide on the next course of action, which, if the suspicion seems well founded, will involve contacting the Proprietor. However, if the concern involves the Head, or is of a sensitive nature, the concerns may be raised directly with the Proprietor.

If the concerns involve the proprietor they should be raised directly with the Wishford Board at the Head Office address.

Any concern will be thoroughly investigated. Where there are allegations of criminal activity, the statutory authorities will always be informed. Wherever possible, and subject to the rights of the pupil, the member of staff will be informed of the outcome of the investigation.

No one who reports a genuine concern in good faith needs to fear retribution. Under the Public Interest Disclosure Act 1998 the member of staff may be entitled to raise a concern directly with an external body where the circumstances justify it.

Staff wishing to raise a concern anonymously may also raise issues directly with the Proprietor using the Wishford website: www.wishford.co.uk/whistleblowing

The earlier the concern is raised, the easier it is to take action. Although an employee will not be expected to prove beyond doubt the truth of the allegation, they will need to demonstrate that there are reasonable grounds for their concern.

Staff wishing to discuss their concerns in confidence with an independent third party may contact the NSPCC Whistleblowing Advice Line on 0800 028 0285. Further details may be found here:

<https://www.nspcc.org.uk/what-you-can-do/report-abuse/dedicated-helplines/whistleblowing-advice-line/>

6 How the School Will Respond

Concerns relating to the behaviour of a member of staff toward a pupil will be treated in accordance with the procedure set out in the Safeguarding Policy.

All other concerns will be investigated and the School will respond to the person raising the concern (unless done so anonymously).

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations, which fall within the scope of specific procedures (e.g. Safeguarding or Grievance issues), will be referred for consideration under those procedures.

Where appropriate, the matter raised may be investigated by the Head, the Deputy Head or the Proprietor, depending on the nature of the issue.

Once an investigation has been conducted and conclusions reached, the Head or Proprietor will implement whatever steps they deem necessary to address the issue. The whistleblower will normally be informed of the outcome of the investigation, subject to the requirement to keep certain information confidential.

7 How The Matter Can be Taken Further

If the whistleblower is not satisfied with any action taken there is a right to take the matter further. The following are possible contact points:

- relevant professional bodies or regulatory organisation
- the Police.

If the matter is taken outside of the School, confidential information or information that is legally protected must not be disclosed. In accordance with the Staff code of conduct, contact with the Press should not be made.

8 Approval & Review

This policy was approved by the Proprietor. It will be reviewed every two years or as necessary following a change in regulation.



Signed: Sam Antrobus
Chairman