

## Whistle Blowing

Date	Review Date	Coordinator	Headmaster
30/10/2018	30/10/2019	Ms. K. Amann	Mr. T. Sato

This policy relates to the following legislation:

- Employment Rights Act 1996
- Public Interest Disclosure Act 1998
- Public Interest Disclosure (Compensation) Order 1999
- Public Interest Disclosure (Prescribed Persons) Order 1999
- Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2003
- Equality Act 2010
- Enterprise and Regulatory Reform Act 2013
- Data Protection Act 2018

Whistle blowing is the reporting of suspected wrongdoing in the workplace which is regarded as making a disclosure in the public interest. The School has adopted this policy to enable members of staff to raise concern internally and in a confidential fashion. We actively encourage all school personnel and visitors to school to report any serious concerns they may have about any aspect of the school such as:

- health and safety concerns
- damage to the school environment
- a criminal offence that has taken place or is about to take place
- disobeying the law
- the covering up of a wrong doing
- the conduct of its personnel or others acting on behalf of the school.

School personnel, supply staff, and students on work experience are protected by law from being treated unfairly or from being unfairly dismissed if they make a disclosure on any of the above, as long as they think what they are reporting is true, that they think they are telling the right person and if they believe their disclosure is in the public interest.

Where the concern relates to an individual's own employment the school's Grievance Policy (in Disciplinary Procedure Policy) must be used.

Where the concern relates to safeguarding issues, the School's Safeguarding and Child Protection Policy must be followed. Any safeguarding concerns should be reported to the Designated Safeguarding Lead, in case of concerns about another member of staff to the Headmaster and in case of concerns about the Headmaster to the Chair of Trustees.

However, if the concern relates to something which is against the school's policies, falls below standards of practice or amounts to improper conduct then the procedures in this policy must be used.

We are committed to the highest possible standards of openness, integrity and accountability.

## **Aims**

- To encourage all school personnel to report any serious concerns about any aspect of the school or the conduct of its personnel or others acting on behalf of the school.
- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

## **Responsibility for the Policy and Procedure**

### **Role of the Headmaster**

The Headmaster will:

- work in conjunction with the Senior Leadership Team to ensure all school personnel and volunteers are aware of and comply with this policy;
- encourage all school personnel to raise any concerns they have regarding actual or potential breaches of duty or a failure by the school;
- provide support for a member of staff who has raised a concern;
- provide support for a member of staff against whom allegations have been made;
- keep both parties informed of all progress during any investigation;
- will take no action against a member of staff if, after investigation, their concern has not been confirmed;
- will take disciplinary action if a concern is raised frivolously, maliciously or for personal gain;
- has responsibility for ensuring all policies are made available to parents;
- has responsibility for the effective implementation, monitoring and evaluation of this policy

### **Role of School Personnel**

School personnel have a duty to speak out against and report any:

- criminal offence that has been committed, is being committed or is about to be committed;
- person who has failed, is failing or is about to fail compliance with any legal obligation that they are subject to;
- miscarriage of justice that has occurred, is occurring or is likely to occur;
- health and safety issue that has endangered, is endangering or is likely to endanger any person;
- damage to the school environment that has been committed, is being committed or is about to be committed
- the conduct of its personnel or others acting on behalf of the school.

School personnel, who speak out against and report any of the above, will receive support from the Headmaster, Deputy Headmaster, Bursar or Deputy Bursar.

However, school personnel must be aware that if they are treated unfairly after blowing the whistle they should consider getting independent advice.

School personnel have a duty to the school not to disclose confidential information. However, in accordance with the provisions of the Public Interest Disclosure Act 1998 this does not prevent an employee from seeking independent advice nor discussing their concern with the charity Public Concern at Work or the NSPCC whistleblowing helpline.

School personnel need to raise the concern internally before using a public agency.

School personnel must be aware that all raised concerns are investigated and every effort is made to ensure confidentiality for all parties. When a concern has been raised the following procedure must be followed:

### Stage 1

- All concerns should be made in person or in writing to either the Headmaster, the Deputy Headmaster, the Bursar or the Deputy Bursar.
- The person raising the concern may wish to receive help from the local authority or from their trade union representative.
- At any future meeting the employee may be accompanied by a colleague or their trade union representative.

### Stage 2

- Within 10 working days the person with whom the concern has been registered acknowledges receipt in writing.
- The letter will state the following:
  - How the concern will be dealt with;
  - How long it will take to provide a final response;
  - Information on employee support services.

### Stage 3

- After initial enquiries have been conducted, a decision will be made if an investigation should take place.
- The investigation will be either:
  - an internal investigation;
  - a referral to the police;
  - a referral to the Local Authority Designated Officer (LADO);
  - an external independent enquiry.

## **Stage 4**

- The employee will be informed in writing of the outcome of the investigation by the Headmaster.
- The employee has the right to take their concern to the Trustees; the local authority; their union or association; Ofsted; the Children's Commissioner; the NSPCC; or the whistle blowing charity Public Concern at Work if they feel it has not been addressed adequately.

## **Raising Awareness of this Policy**

We will raise awareness of this policy via:

- Staff meetings / training
- the School Website

**Previous dated 18/01/2016**

Reviewed 13/10/2016, October 2018