



WHISTLEBLOWING POLICY

1. Introduction

- 1.1 Employees are often the first to realise that there may be something seriously wrong within the School. However, they may be reluctant to express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2 The School is committed to creating an atmosphere of openness and accountability. In line with that commitment it expects employees, and others that it deals with, who have serious concerns about any aspect of its work to come forward and voice those concerns. The School recognises that most cases will have to proceed on a confidential basis.
- 1.3 The policy document makes it clear that a person can do so without fear of victimisation, subsequent discrimination or disadvantage. This whistle-blowing policy is intended to encourage and enable employees to raise serious concerns within the School rather than overlooking a problem or 'blowing the whistle' outside.
- 1.4 The policy applies to all employees and those contractors working for the School on its premises, for example, builders, agency and contractor's staff. It also covers suppliers and those providing services under a contract with the School in any of our premises.
- 1.5 These procedures are in addition to the School's complaints procedures and other statutory reporting procedures.
- 1.6 This policy complies with the Public Interest Disclosure Act 1998 (PIDA). Proposals made in 2010 for changes to the act have yet to be agreed. This policy will be updated as necessary in accordance with any change in PIDA legislation.

2. Aims and Scope of this Policy

- 2.1 This policy aims to:
 - encourage a person to feel confident in raising serious concerns and to question and act upon concerns about practice
 - provide avenues for a person to raise those concerns and receive feedback on any action taken
 - ensure that the person receives a response to their concerns and that they are aware of how to pursue them if you they are not satisfied
 - reassure the person that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.
- 2.2 There are existing procedures in place to enable staff to lodge a grievance relating to their own employment. The whistle-blowing policy is intended to cover major concerns that fall outside the scope of other procedures. These include:
 - conduct which is an offence or a breach of law

- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of School funds
- possible fraud and corruption
- sexual or physical abuse
- other unethical conduct.

2.3 Thus, any serious concerns that a person may have about any aspect of service provision or the conduct of staff, Governors of the School or others acting on its behalf can be reported under the whistle-blowing policy. This may be about something that:

- makes a person feel uncomfortable in terms of known standards, their experience or the standards they believe the School subscribes to; or
- is against the School's Articles of Governance and policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

2.4 This policy does **not** replace the School's complaints procedure.

3. Safeguards against Harassment or Victimisation

3.1 The School is committed to good practice and high standards and wants to be supportive of employees.

3.2 The School recognises that the decision to report a concern can be a difficult one to make. If what a person is saying is true, they should have nothing to fear because they will be doing their duty to the School and to those for whom they are providing a service.

3.3 The School will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect a person who raises a concern in good faith.

4. Confidentiality

4.1 All concerns will be treated in confidence and every effort will be made not to reveal the person's identity if they so wish. At the appropriate time, however, the person may need to come forward as a witness.

5. Anonymous Allegations

5.1 This policy encourages a person to put their name to their allegation whenever possible.

5.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the School.

5.3 In exercising this discretion the factors to be taken into account would include:

- the seriousness of the issues raised

- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

6. Untrue Allegations

6.1 If a person makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against that person. If, however, an allegation is made frivolously, maliciously or for personal gain, then disciplinary action may be taken against the person.

7. How to Raise a Concern

7.1 As a first step, any concerns should be raised with the person's immediate line manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved you should approach the Chief Operating Officer, (who is the Monitoring Officer) or the Academic & Pastoral Head or the Director.

7.2 Concerns may be raised verbally or in writing. A person who wishes to make a written report is invited to use the following format:

- the background and history of the concern (giving relevant dates);
- the reason for concern about the situation.

7.3 The earlier concerns are expressed the easier it is to take action.

7.4 Although a person is not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for concern.

7.5 To obtain advice/guidance on this policy you should contact the Administration [HR] team at Upper School or the Chief Operating Officer.

7.6 A person may prefer discussing the concern with a colleague first as it may be easier to raise the matter if there are two (or more) people who have had the same experience or concerns.

7.7 A person may invite their trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns being raised.

8. How the School will respond

8.1 The School will respond to the concerns raised.

8.2 Where appropriate, the matters raised may:

- be investigated by management or through the disciplinary process
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry.

8.3 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. The overriding principle which the School will have in mind is what is in the best interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

- 8.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 8.5 Within ten working days of a concern being raised, the responsible person will write to:
- acknowledge that the concern has been received
 - indicate how we propose to deal with the matter
 - give an estimate of how long it will take to provide a final response
 - say whether any initial enquiries have been made
 - supply information on staff support mechanisms, and
 - say whether further investigations will take place and if not, why not.
- 8.6 The amount of contact between the person considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided.
- 8.7 Where any meeting is arranged with the person raising a concern, this could be held off-site if necessary and the person can be accompanied by a union or professional association representative or a friend.
- 8.8 The School will take steps to minimise any difficulties which a person may experience as a result of raising a concern.
- 8.9 The School accepts that the person needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, they will be informed of the outcome of any investigation.

9. The Responsible Officer

- 9.1 The Chief Operating Officer (who is also the Monitoring Officer) has overall responsibility for the maintenance and operation of this policy. The COO maintains a record of concerns raised and the outcome (but in a form which does not endanger any confidentiality) and will report as necessary to the Board of Governors.

10. How the matter can be taken further

- 10.1 This policy is intended to provide a person with an avenue within the School to raise concerns. The School hopes the policy and its procedures will satisfy any person raising a concern that appropriate action has been taken. If that person is not, and they feel it is right to take the matter outside the School, the following are possible contact points:
- Public Concern at Work (tel: 020 7404 6609), a registered charity whose services are free and strictly confidential
 - the external auditor
 - a trade union
 - the local Citizens Advice Bureau
 - the relevant professional bodies or regulatory organisations
 - a relevant voluntary organisation

- the police.

10.2 If a person does take the matter outside the School, they should ensure that no confidential information is disclosed.