



# CENTRAL FOUNDATION BOYS' SCHOOL

## WHISTLEBLOWING POLICY AND PROCEDURE

### Introduction

The School is committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards in accordance with *our contractual obligations and our policies and procedures from time to time in force.*

This policy *reflects our current practices and* applies to every individual working for the School irrespective of their status, level or grade. It therefore includes, the Headteacher, Heads of Department, members of the Senior Leadership Team, directors, employees, consultants, contractors, trainees, volunteers, home-workers, part-time or fixed-term employees, casual and agency staff (collectively referred to as "you" and "Staff" in this policy) *who are advised to familiarise themselves with its content.*

However, all organisations face the risk of things going badly 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 or to address them as early as possible when they do occur.

### The Aim of this Policy

The aims of this policy are:

- encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- provide staff with guidance as to how to raise those concerns;
- reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the School and we reserve the right to amend its content at any time.

## **What is whistleblowing?**

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

- criminal activity;
- child protection and/or safeguarding concerns;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal or professional obligation or regulatory requirements;
- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures including our Code of Conduct
- conduct likely to damage our reputation;
- unauthorised disclosure of confidential information;
- the deliberate concealment of any of the above matters.

A whistleblower is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy.

This policy should not be used for complaints relating to staff's own personal circumstances, such as the way you have been treated at work. In those cases you should use the Grievance Procedure or Anti-harassment and Bullying Policy as appropriate.

If Staff are uncertain whether something is within the scope of this policy you should seek advice from your Line Manager or Head of Department.

### **Raising a whistleblowing concern:**

The School encourages openness and hopes that in many cases staff will be able to raise any concerns with their Line Manager and or Head of Department speaking to them in person or putting the matter in writing if prefer. They may be able to agree a way of resolving your concern quickly and effectively.

In some cases they may refer the matter the Head teacher. Before raising your concern, you may wish to take advice on the matter from *Public Concern at Work* listed below or discuss your concerns with a colleague first. It is advisable that you report your concern as early as possible. A significant delay in reporting the matter may make the subsequent investigation difficult to pursue.

However, where the matter is more serious, or you feel that your Line Manager or Head of Department has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- The Head Teacher
- Chair of Governors.

It would be helpful if you can provide as a minimum the following information:

- the nature of the concern and why you believe it to be true; and
- the background and history of the concern (giving relevant dates where possible) and the reasons why you are particularly concerned about the situation.

The School will arrange a meeting with you as soon as possible to discuss your concern. Staff may bring a colleague or union representative to any meetings under this policy who must respect the confidentiality of your disclosure and any subsequent investigation. If, following the assessment process, an investigation is undertaken, an employee who is the subject of the allegation will be given details of the allegation in order to respond during the investigation. The person who is subject of the allegation has the right to be accompanied and/or represented by their trade union representative or a colleague at all stages of the procedure.

The School will take down a written summary of the concern raised and provide the member of the staff with a copy as soon as practicable after the meeting. The School will also aim to give you an indication of how we propose to deal with the matter.

## **Confidentiality**

The School hope that Staff will feel able to voice concerns openly under this policy. However, if a member of staff wants to keep his or her identity confidential, the School will endeavour maintain confidentiality as far as possible unless the disclosure is required by law. If it is necessary for anyone investigating that member of staff's concern to know your identity, the School will discuss this with the member of staff first. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of a disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, you will be offered support.

Although a concern may be made anonymously, we encourage 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.

We will consider anonymous concerns at our 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.

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.

If you are in any doubt, you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

*Protect*

*Helpline: **020 3117 2520***

*(Independent whistleblowing charity)*

*E-mail: [whistle@protectadvice.org.uk](mailto:whistle@protectadvice.org.uk)*

*Website: [protect-advice.org.uk](http://protect-advice.org.uk)*

## **Investigation and outcome**

Once a member of Staff has raised a concern, the School will carry out an initial assessment to determine the scope of any investigation. The School will inform you of the outcome of its assessment, unless the Investigator considers that there is a risk of the investigation being prejudiced by disclosures of the process being taken. *Disciplinary* The member of staff raising the concern may be required to attend additional meetings in order to provide further information.

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.

The School will aim to keep the whistleblower informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the School from giving specific details of the investigation or any disciplinary action taken as a result. The whistleblower is required to treat any information about the investigation as strictly confidential. If the School concludes that a whistleblower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistleblower will be subject to disciplinary action under the School's Disciplinary Policy and Procedure.

Please note that:

- Staff must believe the disclosure of information is in the public interest;
- Staff must believe it to be true;
- Staff must not act maliciously; or knowingly make false allegations; and
- Staff must not seek any personal gain.

## **If you are not Satisfied**

Whilst we cannot always guarantee the outcome you are seeking, we will try to deal with the concern fairly, professionally and in an appropriate way. If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts outlined above.

## **External Disclosures**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. We 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.

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. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed people and bodies for reporting certain types of concern (see "Further Information" below).

Where your concern is regarding our safeguarding practices, and you feel unable to raise it internally or have concerns about the way your concern is being handled by us, you can contact the NSPCC whistleblowing advice line on 0800 028 0285 – 8:00 AM to 8:00 PM, Monday to Friday or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk). Alternatively, you can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.

*Whistleblowing concerns usually relate to the conduct of School Staff, but they may sometimes relate to the actions of a third party, such as a service provider. In some circumstances, the law will protect you if you raise the matter with the third party. However, you are encouraged to report such concerns internally first. You should contact one of the other individuals set out above for guidance.*

## **Protection and support for whistleblowers**

It is understandable that whistleblowers are sometimes worried about possible repercussions. The School aims to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

Staff must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes

that he or she has suffered any such treatment, he/she should inform the Head Teacher immediately. If the matter is not remedied the member of staff should raise it formally using the School's Grievance Procedure.

No member of staff must threaten or retaliate against an individual who has raised a concern in any way. We will not tolerate any such harassment or victimisation, and anyone involved in such conduct will be subject to disciplinary action.

However, to ensure the protection of all our staff, those who raise a concern frivolously, maliciously and/or for personal gain and/or make an allegation they do not reasonably believe to be true and/or made in the public interest will also be liable to disciplinary action.

### **Further Information**

Protect (formerly known as Public Concern at Work) is a source of further information and advice at [protect-advice.org.uk](https://protect-advice.org.uk). Protect provides free, confidential whistleblowing advice, and can be contacted online via its website: [protect-advice.org.uk/contact-protect-advice-line](https://protect-advice.org.uk/contact-protect-advice-line) or by telephone on 020 3117 2520.

All Staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Headteacher in the first instance.