

St. John's Prep. & Senior School



Whistleblowing policy

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Introduction

St. John's Prep & Senior School is committed to delivering services of the highest possible standard, having a culture of safety and of raising concerns where staff are valued and reflective practice is promoted. Therefore, we welcome and encourage you (and others) to come forward and voice any concerns that you have about any aspect of the School's work, including about poor or unsafe practice and potential failures in the school's safeguarding regime, so that they can be dealt with effectively. We want you to feel able to raise concerns within the School without fear of reprisals, rather than overlooking a problem. The school promotes a culture of transparency and accountability in relation to how concerns are raised and handled, so you should feel supported in coming forward.

Employees must acknowledge their individual responsibilities to bring matters of concern to the attention of senior management and/or relevant agencies. Although this can be difficult, this is particularly important where the welfare of children may be at risk.

Policy Aims

This policy applies to all individuals working for St. John's Prep & Senior School sets out the basis on which whistleblowing concerns raised by employees will be investigated.

This policy aims:-

- To encourage employees to feel confident in raising genuine concerns about malpractice whilst maintaining their integrity.
- To ensure that whistle-blowers know their concerns will be taken seriously and not ignored.
- To establish a procedure for employees to disclose concerns and to receive a response;
- To provide employees with awareness of how to pursue concerns if they are not satisfied with the response;
- To aid the smooth running of the business with minimal risk of malpractice, negligence and other wrongdoing.
- To reassure employees that should they "blow the whistle" in good faith they will be protected from detrimental treatment.
- To foster an open and transparent workplace where employees can promptly identify wrongdoing and report it confidentially and effectively.

This policy and procedures cannot be used to raise concerns relating to employment matters where more appropriate procedures are available and where there is no public interest element. For example:

- Grievances or matters relating to alleged breaches of the employee's contract of employment;
- Child protection matters which should be reported in line with the school's child protection/safeguarding policy;

Definition of Whistleblowing

Whistleblowing is the disclosure of a concern within the workplace that has come to the attention of any employee during the course of their work, about a danger, risk, malpractice or wrongdoing which affects others and is in the public interest.

The types of behaviours or practices that the school considers should be dealt with by this policy include:-

- criminal activity;
- fraud, corruption or bribery;
- negligence;
- health and safety issues concerning the workplace that puts the safety of workers or visitors or the public at risk;
- failure to comply with legal or professional obligations, or regulatory requirements;
- a miscarriage of justice;
- risks to the environment;
- the mismanagement of, or unauthorised use of, public funds or other resources;
- the deliberate concealment of any of the above.

A whistle-blower is a person who raises a genuine concern that he/she believes is in the public interest relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the School's activities (a whistleblowing concern) you should report it under this policy.

Scope

This policy applies to all individuals working for St. John's Prep & Senior School whether they are employees, contractors, peripatetic staff or agency staff. For avoidance of doubt and to ensure clarity the term 'employee' will be used throughout this policy when referring to all individuals working at St. John's Prep & Senior School.

This policy does not form part of an employee's contract of employment and is not intended to have a contractual effect. The school reserves the right to amend its content at any time.

Responsibilities

St. John's Prep & Senior School is committed to preventing malpractice in the workplace. Members of staff are urged to be alert to wrongdoing and raise concerns accordingly. To facilitate this, the headteacher will:

- Conduct the school with a view to promote high standards of educational achievement and communicate the expected standards of behaviour;
- Create a climate of trust and openness;
- Abide by all relevant legislation and, in particular, will not discriminate on grounds of any protected characteristic including race, colour, ethnic origin, religion, belief, gender, marital status, sexual orientation, disability, trade union membership or age;
- Ensure that all employees are aware of their duty to disclose any concern of a whistleblowing nature;
- Have overall responsibility for the maintenance and fair operation of this policy and procedure;
- Receive any concern responsibly, openly and professionally and maintain a record of the concerns raised and the outcomes (but in a form at which would not endanger confidentiality);
- Take action to protect and support any employee when they disclose a concern;
- Ensure an employee does not suffer any detriment in connection with their employment with the school when they have a reasonable belief that it is in the public interest to disclose a concern;
- Ensure that an employee will not face retribution if the concern they disclosed proves to be unfounded.
- Undertake investigations without undue delay;
- Maintain confidentiality.

The employee will:

- Treat all people with courtesy and respect and be aware how their behaviour and practices can be interpreted by others;
- Perform at the level defined by the school's policies and procedures;
- Recognise their duty to disclose any concern;

- Fully engage in any and all meetings needed to complete investigations into a whistleblowing disclosure.

Whistleblowing disclosures will be held in a confidential, secure file within the head teacher's office along with a record of the outcome and any records of meetings held or other documents compiled during the process. These will be retained for a period of 6 years from the close of the case, except where separate retention rules apply, e.g. child protection records.

What action should the whistle-blower take:

As an employee you may be the first to realise that there may be something wrong within the School. However, you may not feel able to express your concerns because you feel that speaking up would be disloyal to your colleagues or to the School. You may also fear harassment or victimisation. In these circumstances, it may be easier for you to ignore the concern rather than report it. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable child or young person who is targeted. These children need someone like you to safeguard their welfare:

Don't think what if I'm wrong - think what if I'm right

We encourage the whistle-blower to raise the matter internally, either orally or in writing, in the first instance to allow those school staff in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity. Anonymous whistleblowing is actively discouraged as this makes it particularly difficult to investigate effectively.

Who an employee should raise concerns with, depends upon the seriousness and sensitivity of the issue involved and who is suspected of malpractice. As a first step, an employee should normally raise concerns with their Head of Year. However, if their concern is about their Head of Year, they should contact the Deputy Head. If their concern is about the Deputy Head then they should contact the Head Teacher directly. If their concern is about the Head, the telephone number for the Chair of the Safeguarding Committee can be found in the School Office.

Once an employee believes that malpractice exists the following action should be considered:

- Concerns may be raised verbally or in writing. Employees who wish to make a written report should give the background and history of the concern and the reason why they are particularly concerned about the situation. The earlier concerns are expressed the easier it is to take action.
- If the employee wishes, he or she may ask for a private confidential meeting with the person to whom he or she wishes to make the complaint.

- An employee may take another person with them as a witness or for support.
- The employee should take to the meeting – if possible – dated and signed written supporting statements for anyone who can confirm the allegations.
- When making the complaint verbally, the employee should write down any relevant information and date it. Keep copies of all correspondence and relevant information.
- The employee should ask the person to whom he or she is making the complaint what the next steps will be and if anything more is expected of them.

Although employees are 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 their concern.

How will the matter be progressed?

The person in receipt of the information or allegation will carry out a preliminary investigation seeking to establish the facts of the matter and assess whether the concern meets the definition of whistleblowing and therefore should be formally investigated.

It may be determined that some concerns do not meet the definition of whistleblowing and therefore may be resolved by agreed action without the need for an investigation or fall within the scope of other existing policies and procedures.

Where disclosures fall within the definition of whistleblowing, the action taken by the school will depend on the nature of the concern. The school may:

- Investigate internally;
- Appoint an independent person to investigate the concern;
- Refer the concern to the police;
- Report the concern to the DfE; or
- Any combination of the above.

Where an investigation is required the Head teacher will write to the employee within 10 working days of the concern being received, confirming how they propose to investigate the concern and the timescale for providing a final response.

The Head teacher will then carry out a thorough investigation in order to obtain all the relevant facts and will not make any assumptions. This will usually involve taking a comprehensive record of any meetings that occur and obtaining relevant documentary evidence.

As part of the investigation further information may be sought from the employee disclosing the concern. If a meeting is arranged the employee has the right to be

accompanied by a work colleague who is not involved in the area of work to which the concern relates.

The Head teacher will give careful consideration to the time and location of the meeting and how these arrangements are communicated to the employee. The employee and their representative must respect the need to maintain confidentiality.

If the allegation relates to discovery of a sexual activity, the member of staff will be immediately suspended so that an impartial investigation can take place; this in no way implies guilt.

Records will be kept of work undertaken and actions taken throughout the investigation. The Head Teacher will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral such as the police or other regulatory body.

The School accepts that individuals need to be assured that the matter has been addressed. Thus, subject to legal constraints and bounds of confidentiality, the whistle-blower will be informed of the results of the investigation and the action taken to address the matter. Also, if appropriate, what changes are to be made to monitor procedures to ensure that a similar concern is not raised in future.

What a whistle-blower should not do:

If you have raised a matter of concern or are considering it, you should not do the following:

- Contact the suspected perpetrator of wrongdoing on a fact finding mission.
- Discuss the matter with anyone outside of the School including the media.
- Start your own investigations or enquiries without permission. This could seriously undermine the School's own enquiries and your integrity.

Respecting confidentiality

Wherever possible, St. John's Prep. & Senior School will seek to respect the confidentiality and identity of the whistle-blower and will as far as possible protect him/her from reprisals. We will not tolerate any attempt to victimise the whistle-blower or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

Raising unfounded malicious concerns

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If employees make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If however, they raise malicious unfounded concerns or attempt to make mischief,

this will also be taken seriously and may constitute a disciplinary offence and the Disciplinary Procedure will apply.

How matters can be taken further

If the employee is dissatisfied with the response from the School and, subject to the matter being covered by the Act, he/she can raise the matter, as appropriate, with one of the following:

- The individual's trade union
- The local citizens advice bureau
- Their solicitor
- 'Public Concern at Work', is a voluntary organisation who offer confidential legal advice to employees of any organisation.

An employee who unreasonably and without justification raises such issues on a wider basis, such as with the press, without following the steps and advice in this procedure may be liable to disciplinary action.

Other relevant Policies and Procedures

Members of staff are expected to be familiar with the School's Code of Conduct , Safeguarding Policy, Keeping Children Safe in Education (2018), the Grievance & Disciplinary Procedures in your Staff Handbook, the Confidentiality Policy and the Health & Safety Policy.

Conclusion

Existing good practice within our school, in terms of its systems of internal control both financial and non-financial and the external regulatory environment in which the school operates, ensure that cases of suspected fraud or impropriety rarely occur. This whistleblowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially within the management structure of the school. This document is a public commitment that concerns are taken seriously and will be actioned.