

Whistle-Blowing Policy

Introduction

Members of staff are often the first to suspect that there may be something seriously wrong within the school. However, they may be reluctant to express any concerns they might have because of a worry that speaking up would be disloyal to a colleague or to the school. They might also be worried about harassment or victimisation. It is therefore often easier to ignore concerns rather than to report what could be a legitimate occurrence of malpractice.

The school is committed to the highest possible standards of openness and accountability. In line with that commitment, members of staff who have serious concerns about any aspect of the work of the school or the behaviour of a colleague are encouraged to come forward and voice those concerns.

This policy makes it clear that members of staff can take action to report concerns without fear of reprisals, and is intended to encourage them to do so and enable employees to raise serious concerns within the organisation rather than simply overlooking the problem or resorting to blowing the whistle outside.

Aims

This policy aims to provide members of staff with avenues for the raising of concerns and for receiving feedback on action taken, as well as to provide reassurance that members of staff will be protected from reprisals or victimisation when reporting concerns in good faith.

Concerns that could fall under the scope of this policy may be about conduct or actions that are one or more of the following:

- Actions that are unlawful;
- Actions or conduct that contravene internal policies or procedures;
- Practice that falls below expected standards;
- Actions that amount to improper conduct.

3. Safeguards

(a) Harassment and Victimisation

The school recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the suspected malpractice. The school will not tolerate harassment or victimisation of or by its employees, and will take action to protect members of staff who report a concern in good faith.

(b) Existing Procedures

If a member of staff is already the subject of disciplinary or redundancy procedures, those procedures will not be halted as a result of whistle-blowing.

(c) Confidentiality

The school will do its best to protect the identity of a member of staff who reports a concern if he/she does not wish his/her name to be disclosed. However, the school cannot guarantee this and the investigation process may necessarily reveal the source of the information. It is also possible that a statement from the member of staff reporting the concern may be required as part of the evidence.

(d) Anonymous Allegations

The school will only consider a concern expressed anonymously if the issue raised is serious and credible and is able to be confirmed from attributable sources. In general, unless these criteria are met, the school will not accept allegations made anonymously.

(e) Untrue Allegations

If an allegation is made in good faith, but it is not subsequently confirmed by the investigation, no further action will be taken. If, however, a member of staff makes an allegation that is malicious or intended to cause anger, irritation or distress, or for personal advancement, then disciplinary action may be taken against the member of staff making the allegation.

How to Raise a Concern

A member of staff wishing to report a concern should, in the first instance, discuss the matter with the Headmaster or the Head of Juniors as appropriate. If the concern involves one or more of the members of the Senior Management team, then the member of staff should speak to the Headmaster. If the concern involves the Headmaster, then the member of staff should arrange to speak to the Chair of the Board of Trustees. If the concern is of a safeguarding nature then the Headmaster/Head of Juniors/Chair of the Board of Trustees will also inform the appropriate DSL.

After the initial conversation, the member of staff reporting the concern will usually be asked to set out the basis of the concern in writing. Advice about this will be given in the initial conversation but will typically include the background and history of the concern, dates and places where possible, and the reason for the concern. The whistle-blower is not expected to provide proof of the truth of an allegation, but he/she will need to provide enough information to establish that there are sufficient grounds for the concern to warrant an investigation.

A member of staff reporting a concern has the right to be accompanied by a 2nd person, possibly a legal representative or a representative from his/her professional association when reporting the concern. However, the concern should not be discussed with other members of staff (as this could compromise a subsequent investigation) and therefore the right to be accompanied does not extend to another member of staff.

5. Action Taken by the School

The action taken by the school after receiving a report of a concern will depend on the nature of the concern. One of the following courses of action will normally be taken:

- If the allegation involves a criminal offence, the matter will be referred to the Police.
- Otherwise, if sufficient grounds for the concern have been established, the matter will be investigated internally.

In establishing whether there are sufficient grounds for an investigation, initial enquiries may need to be made. Investigations will normally be conducted by the appropriate senior member of staff. Some concerns may be resolved by agreed action without the need for an investigation to take place.

In deciding whether it is necessary to suspend a member of staff during an investigation, normal guidelines relating to this will be followed. Suspension is normally appropriate only if by not doing so a pupil may be at risk or if by not doing so there is a risk of interference with the investigation.

The extent to which the investigating officer will be able to keep the whistle-blower updated on the progress of any investigation will depend on the nature of the matter raised and the potential difficulties involved. In principle, however, there will be a wish to keep the whistle-blower informed and it may also be necessary to seek additional information from him/her as the investigation progresses.

Subject to legal constraints, the whistle-blower will be informed about the outcome of an investigation when it has been completed.

The school will take whatever steps it can to minimise any difficulties which the whistle-blower may experience as a result of raising a concern. This would include consideration of redeployment to another department if appropriate.

6. Further Action

If the member of staff who raised the concern remains concerned after the conclusion of any action taken under this policy, he/she should arrange to speak to the Chair of the Board of Trustees.

In the unlikely event that he/she still remains concerned that the school has failed to address the issue satisfactorily then he/she does have a number of avenues for pursuing the concern through external agencies. The main agencies that the matter could be referred to are the Headmasters' and Headmistresses' Conference (HMC), COBIS, the Independent Schools Inspectorate (ISI), and the Police.

The member of staff is advised to seek professional advice from his/her professional association before taking such a step. When taking such a step, great care should then be taken to ensure that confidential or privileged information is not disclosed to a third party. Disclosure of such information could result in the member of staff becoming subject to disciplinary procedures.

Under no circumstances must any member of staff speak to any other third party, including representatives of the Press, about confidential school matters.

Reviewed: September 2021
Next Review September 2022