This document should be read in conjunction with the School's Safeguarding and Child Protection Policy

Aims and Objectives

The School is committed to the highest possible standards of openness, probity and accountability. To ensure these standards are consistently maintained it is important that any fraud, misconduct or wrongdoing by any officer, employee, agency worker, individual or supplier to the School is reported and properly dealt with.

The School therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the School or the way in which the School is run.

Safeguarding

In terms of children's welfare and safeguarding, all staff have a responsibility to provide a safe environment in which children can work and learn. All teachers share responsibility for safeguarding children's wellbeing and maintaining public trust in the teaching profession as part of their professional duties. Staff and volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the School's safeguarding processes. It is important that wrongdoing of whatever kind is addressed and stopped – reporting concerns enables the School to address problems.

The School recognises the difficulty that individuals can encounter when faced with the decision to raise a concern about the welfare of a child or young person. These reservations can naturally stem from a feeling that this could be disloyal to colleagues or that raising the alarm may spark harassment or victimisation. However a child should never have to continue to face unnecessary risk and it is often the most vulnerable children and young people who are targeted.

Whistleblowing can also support the member of staff who is the subject of the concern. Their conduct may result from inexperience or lack of training that can be addressed by the School, or they may be under stress and be relieved when other conduct is questioned.

All staff must acknowledge this and share a commitment to raise any concerns, despite any difficulties this decision may pose.

This policy sets out the procedure in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Legal Framework

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for individuals who raise legitimate concerns about specified matters. These are called "qualifying disclosures".

An individual who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised in any way because he/she has made a disclosure.

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A disclosure will not be protected unless the employee reasonably believes that the disclosure is made in the public interest.

The School encourages individuals to raise their concerns under this procedure in the first instance. If an individual is not sure whether or not to raise a concern, he/she should discuss the issue with his/her line manager or the human resources department.

Qualifying disclosures

This is any disclosure of information which, in the reasonable belief of the individual making the disclosure, tends to show one or more of the following:

- that a criminal offence has been is being or is likely to be committed;
- that the health and safety of any individual has been is being or is likely to be endangered;
- Inappropriate or harmful conduct towards a child (or children) including:
  - bullying, humiliation or any other kind of abuse
  - contravening health and safety guidelines in place to protect children
  - serious breaches of the School's relevant staff Code of Conduct
  - professional practice that falls short of normally accepted standards
  - compromising pupils' welfare in a way that does not meet the threshold for child protection intervention;
- that the environment has been, is being or is likely to be damaged;
- that information tending to show any of the above has been is being or is likely to be deliberately concealed;
- that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject;
- that a person is not acting in the best interests of the School;
- any form of financial malpractice;
- that the actions of the person constitute improper conduct or improper use of authority or that their actions may bring the School into disrepute.

This includes any contractual or other common law obligation, statutory duty or requirement or administrative law requirement. It could include professional malpractice or a failure to comply with any rules, regulations or codes of practice of the School.

These acts can be in the past, present or future so that, for example, a disclosure qualifies in relation to environmental damage that has happened, is happening or is likely to happen.

It is not necessary for the individual to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The individual has no responsibility for investigating the matter - it is the School's responsibility to ensure that a thorough investigation takes place.

Staff should also refer to the Anti Bribery Policy in relation to this Policy.

Principles

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Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Individuals should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation and the proposed actions to be taken reported back to the individual who raised the issue.

No individual will be victimised in any way for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the individual will not be prejudiced because he/she has raised a legitimate concern. Any form of victimisation of an individual for raising a concern under this policy will be a disciplinary offence.

If misconduct is discovered as a result of any investigation under this procedure the School's disciplinary procedure will be used, in addition to any appropriate additional measures.

Maliciously making a false allegation will be treated as a disciplinary offence and also any instruction or action to cover up wrongdoing is in itself a disciplinary offence.

If told not to raise or pursue any concern, even by a person in authority such as a senior officer or manager, individuals should not agree to remain silent and should report the matter under this procedure.

Procedure

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the School's grievance procedure.

1. **Raising your concern**
    I. In the first instance, any concerns should be raised by the individual with the most appropriate senior officer of the School responsible for the management of the individual concerned or the area of the School's activity affected by the disclosure. The designated senior officers are as follows: Director of Operation & Estates, Second Master or Director of Finance.
    II. If the concern is regarding a child (or children) the issue should be raised with the DSL.
    III. If you have a safeguarding concern in which a member of staff is involved, the Whistleblower must raise it with the Headmaster and/or DSL immediately.
    IV. If the individual raising the issue reasonably believes that any of the designated senior officers is or may be involved in the issue being raised the matter should be raised directly with the Headmaster. If the individual reasonably believes the Headmaster is or may be involved the issue should be raised with the Chair of Governors.

2. **Investigation**

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I. The designated senior officer will arrange an investigation of the matter either by investigating the matter him/herself or by immediately passing the issue to another appropriate senior manager to conduct the investigation.

II. The investigation may require that the individual raising the matter and any other individuals involved provide a written statement.

III. Any investigation will be carried out in accordance with the principles set out above. The individual's statement will be taken into account during the investigation, and he/she will be asked to comment on any additional evidence obtained during the investigation.

IV. The senior officer (or the designated manager who carried out the investigation) will then report the outcome of the investigation to the senior officer, Headmaster or to the Chair of Governors.

3. Outcome

I. The School will take any necessary action, including reporting the matter to any appropriate Government department or regulatory agency.

II. If disciplinary action is required, the senior officer will report the matter to the Human Resources Department and start the disciplinary procedure.

III. On conclusion of the investigation, the individual who raised the issue will be informed of the outcome of the investigation and what action has been taken, or is proposed.

IV. If it is proposed that no action is to be taken, the reason for this will be explained to the individual raising the issue.

4. Conclusion

I. If the individual raising the matter is concerned that the responsible officer has failed to make a proper investigation or has failed to report the outcome of the investigation to the Headmaster or to the Chair of Governors, he/she should contact the Headmaster or Chair of Governors directly

II. The Headmaster or Chair of Governors will arrange for another senior officer to review the investigation carried out, make any necessary further enquiries and make his/her own report directly to the Headmaster or Chair of Governors. As in 3.iii and 3.iv above the individual raising the issue will be appraised of the outcome.

III. Any approach to the Headmaster or Chair of Governors under 4.ii above will be treated with the strictest confidence and the individual's identity will not be disclosed without his/her prior consent.

Disclosure to an external authority

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If on conclusion of stages 1, 2, 3 and 4 of this procedure the individual reasonably believes that appropriate action has not been taken, he/she should report the matter to the proper external authority.

The legislation sets out a number of appropriate bodies to which a qualifying disclosure may be made.

These include:

- HM Revenue & Customs;
- the Financial Services Authority;
- the Office of Fair Trading;
- the Health and Safety Executive;
- the Environment Agency;
- Director of Public Prosecutions;
- Serious Fraud Office;
- Disclosure & Barring Service;
- NCTL.

It is fully expected that all employees will act responsibly with regard to making any form of disclosure which must be made in good faith. If an investigation shows that a false or vexatious accusation has been made in bad faith, appropriate disciplinary action, which could include dismissal, will follow.

Status of this policy

This policy does not give contractual rights to individual employees. The School reserves the right to alter any of its terms at any time although we will notify you in writing of any changes.

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