



# CROSFIELDS SCHOOL

## **WHISTLE BLOWING POLICY**

**Person Responsible:** HM; Bursar, HR

**Review Date:** 10 October 2021

**Next Review Due:** October 2022

**References/Websites:** KCSIE (2021)

### **About this policy**

1. We are committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards [in accordance with our Code of Conduct]. However, all organisations face the risk of things going 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 and to address them when they do occur.
2. The aims of this policy are:
  - a. To 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.
  - b. To provide staff with guidance as to how to raise those concerns.
  - c. To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
3. This policy covers all employees. This policy does not form part of any employee's contract of employment and we may amend it at any time.
4. The Whistleblowing Officer has day-to-day operational responsibility for this policy, and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

### **What is whistleblowing?**

5. The Public Interest Disclosure Act 1998 protects employees who disclose information where they have reasonable grounds to believe that their employer has committed crimes, breaches of legal obligation, miscarriages of justice, breaches of health and safety and environmental legislation or deliberate covering up of any of the above. Any such disclosures must be in good faith and employees must have reasonable grounds for their belief.

The school has policies and procedures, which meet the legal requirements of an independent school. The school relies upon all those who work here to ensure that everyone follows those policies and procedures. All employees should raise internally any

concerns about any behaviour which may affect the reputation of the School or any persons connected with the School, the pupils or the parents.

6. Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:
  - a. Criminal activity;
  - b. Failure to comply with any legal or professional obligation or regulatory requirements;
  - c. Miscarriages of justice;
  - d. Danger to health and safety;
  - e. Damage to the environment;
  - f. Stealing;
  - g. Corruption;
  - h. Breach of contract;
  - i. Negligence;
  - j. Abuse of authority;
  - k. Discrimination;
  - l. Any action endangering the welfare of a pupil.

The above list is not exhaustive and if you are concerned about any danger, fraud or unethical behavior relating to the school or any persons connected with the school, the pupils or the parents, you should raise in this accordance with the following procedure.

A whistleblower is a person who raises a genuine concern 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 your own personal circumstances, such as the way you have been treated at work. In those cases you should use the Grievance Procedure.

7. **Procedure:** You should use the school's Grievance Procedure to bring an issue to its attention, but in light of the potentially sensitive and serious nature of such issues, you should raise this with the Headteacher who will treat your grievance sensitively and where possible confidentially. If it is not appropriate for you to raise your concern with the Headmaster, you should write to the Chairman of the Board of Governors.
8. **Meeting:** We will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation. We will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.
9. **Investigation and outcome:** Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information. In some cases we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator may make recommendations for change to enable us to minimise the risk of future wrongdoing. We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

10. **If you are not satisfied:** While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy you can help us to achieve this. If you are not happy with the way in which your concern has been handled, you can raise it with the Chairman of the Governors or one of the helplines at the end of this policy.
11. **Protection and support for whistleblowers:** It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken. You will not suffer any detriment as a result of raising such issues in good faith and following the Grievance Procedure. In the event that you are subjected to a detriment (such as victimisation, harassment or bullying) by any person employed by the school, you must inform your line manager (or if this is not appropriate, the Deputy Headteacher) immediately. The School will then take appropriate action to protect you from any detrimental treatment. If the matter is not remedied you should raise it formally using our Grievance Procedure. You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action. If it should become clear that the Procedure was not invoked in good faith, for example for reasons of a malicious or personal nature, this will be treated as misconduct and will be dealt with in accordance with the school's Disciplinary Procedure.

## **Confidentiality**

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Officer and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from the helplines at the end of this policy.

## **External disclosures**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. 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 external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Contact details of independent whistleblowing charities are at the end of this policy.

Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first. You should contact your line manager for guidance.

12. If you are unsure whether you should raise an issue under this policy, or you need advice on raising such issues, you can obtain free confidential advice from Public Concern at Work:

Public Concern at Work, Suite 306, 16, Baldwins Gardens, London EC1N 7RJ

Telephone (general enquiries and helpline): 020 7404 6609

Fax: 020 7404 6576

Email (UK enquiries): [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk)

UK helpline: [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk)

For staff who do not feel able to raise concerns regarding child protection failures internally:

**NSPCC whistleblowing helpline:** 0800 028 0285

e-mail: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

This Policy also applies to EYFS.