

**7b WHISTLEBLOWING POLICY**

*Our mission is to develop happy, confident and successful children who are well prepared for their future.*

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| <b>Version</b>                                   | <b>4</b>  |
| <b>Review Period</b>                             | <b>Annual or in line with statute or regulation</b> |
| <b>Independent Schools Inspectorate</b>          | <b>Regulation 7b</b>                                |
| <b>HR Officer</b>                                | <b>16.01.24</b>                                     |
| <b>Headmaster</b>                                | <b>12.01.24</b>                                     |
| <b>HR Committee Review and Approval</b>          | <b>23.01.24</b>                                     |
| <b>Full Board Review and Approval (annually)</b> | <b>20.03.24</b>                                     |

The School has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about any activity within the school that is deemed inappropriate, unethical, illegal, immoral, illicit, unsafe or fraudulent.

The policy also provides, if necessary, for such concerns to be raised outside the organisation. It has been written with regard to the latest version of [KCSIE](#).

### **WHAT IS WHISTLEBLOWING**

Whistleblowing is the reporting of suspected wrongdoing, malpractice or dangers in relation to the activities within the School.

A whistleblower is a person who raises a genuine concern relating to suspected malpractice within the School. If a person has genuine concerns relating to suspected malpractice, affecting any of the School's activities (a whistleblowing concern) they should report it under this procedure.

Malpractice is not easily defined; however, it includes allegations of fraud, financial irregularities including the facilitation of tax evasion, corruption, bribery, dishonesty, acting contrary to the [Staff Behaviour](#) or [Child Protection and Safeguarding policies](#), criminal activities, or failing to comply with a legal or professional obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment (negligence).

### **ABOUT THIS POLICY**

The School is committed to conducting its business with honesty and integrity, and expects all staff to maintain high standards in accordance with our [Staff Behaviour Policy](#) and [The Westbrook Charter](#). 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.

The school's policy on whistleblowing is intended to demonstrate that it:

- will not tolerate malpractice;
- encourages staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated, as appropriate;
- will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.
- respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively;
- will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
- will invoke the school's [Disciplinary Policy and Procedure](#) in the case of false, malicious, vexatious or frivolous allegations. This policy seeks to reassure staff that they can raise genuine concerns without fear of reprisal, even if they turn out to be mistaken; and
- will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.

### **RELATIONSHIP TO OTHER POLICIES AND PROCEDURES**

This procedure is separate from the school's adopted procedures regarding grievances. Individuals should not use the whistleblowing procedure to raise grievances about their personal employment situation. In those cases the Schools' [Grievance Procedure](#) or [Anti-Harassment and Bullying Policy](#) should be used, as appropriate. If you are uncertain whether something is within the scope of the Whistleblowing procedure, you should seek advice from HR, the Head Teacher or Bursar.

This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the School.

### **MALICIOUS ACCUSATIONS**

False, malicious, vexatious or frivolous accusations will be dealt with under the School's Disciplinary procedure.

### **CONFIDENTIALITY**

We hope that staff will be able to voice whistleblowing concerns openly under this procedure. However, if a staff member wishes to raise a concern confidentially, we will make every reasonable effort to keep their identity a secret. This will be discussed with the staff member.

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 discuss this with the Head Teacher or Bursar 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 on 020 3117 2520 .

If there is evidence of criminal activity then the Police will, in all cases, be informed.

### **RAISING A WHISTLEBLOWING CONCERN**

The first point of contact for raising a concern will be with the line manager, in person or in writing, if preferred. This will usually be the quickest and most effective way of resolving concerns. In some cases the line manager may refer the matter to the Head, Deputy or Bursar.

For more serious matters Staff are at liberty to raise a whistleblowing concern to the Head Teacher, the Deputy, a member of the EG or the Bursar. This may be done in person or the matter put in writing, if preferred. If the person expressing the concern feels unable to approach the Head Teacher, the Deputy, a member of the EG or Bursar directly, then the Chair of Governors should be the first point of contact.

A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this procedure. Your companion must respect the confidentiality of your disclosure and any subsequent investigation. You may be required to attend additional meetings in order to provide further information as the concerns raised are investigated.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The whistle-blower will be kept informed of progress of the investigation and its likely timescale and, whenever possible and subject to third party rights, will be informed of the

resolution. However, sometimes the need for confidentiality may prevent the school from giving the whistle-blower specific details of the investigation or any disciplinary action taken as a result. The whistle-blower should treat any information about the investigation as confidential.

If the whistle-blower is not satisfied that their concern is being properly dealt with they will have a right to raise it in confidence with the Governing Body.

### **EXTERNAL PROCEDURES**

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

However, if staff and volunteers feel unable to raise an issue with the school or feel that their genuine concerns are not being addressed, they may use another whistleblowing channel, such as:

- [Protect](#), an independent whistleblowing charity, previously known as Public Concern at Work (helpline: 020 3117 2520, email: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)), website: <https://protect-advice.org.uk/>)
- The [NSPCC](#) whistleblowing helpline (0800 028 0285, email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk))

Additionally, where all internal procedures have been exhausted, a member of staff shall have a right of access to an external person/body. This may include (depending on the subject matter of the disclosure) [HMRC](#), the [Audit Commission](#) the [Health and Safety Executive](#) and/or the [Local Authority Designated Officer](#) (where the disclosure relates to a child protection issue).

It will very rarely, if ever, be appropriate for the media to be alerted.

It should be noted that under the [Public Interest Disclosure Act 1998](#), there are circumstances where a member of staff may be entitled to raise a concern directly with an external body where the individual reasonably believes:

- that exceptionally serious circumstances justify it;
- that the School would conceal or destroy the relevant evidence;
- they would be victimised by the School;
- the Secretary of State has ordered it.

We strongly encourage that advice is sought before reporting a concern to anyone external. The independent whistleblowing charity, [Protect](#), operates a confidential helpline telephone number: 020 3117 2520. They also have a list of prescribed regulators for reporting certain types of concern.

### **PROTECTION AND SUPPORT FOR WHISTLEBLOWERS**

It is understandable that whistle-blowers are sometimes worried about possible repercussions. We aim to encourage openness and will support whistle-blowers who raise genuine concerns under this policy, even if they turn out to be mistaken. However, if it is concluded that a whistle-blower has made false allegations maliciously, they may be subject to disciplinary action.

Whistle-blowers must not suffer any detrimental treatment or be disciplined as a result of raising a genuine and legitimate concern, providing that they do so in good faith and following Whistleblowing procedures. If they believe that they have suffered any such treatment, they should immediately inform

the Head Teacher, Bursar, HR or the Chair of Governors (the latter where a complaint is made concerning the former 3).

If the matter is not remedied the whistle-blower should raise it formally using the School's [Grievance Procedure](#).

There must be no threat or retaliation against whistle-blowers in any way. Any involvement in such conduct may be subject to disciplinary action.