

WHISTLEBLOWING

Introduction

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 child protection, fraud, malpractice, health and safety, criminal offences, miscarriages of justice, and failure to comply with legal obligations or unethical conduct. The policy also provides if necessary, for such concerns to be raised outside the School's internal organisation.

Elements of the Policy

In accordance with Lord Nolan's Second Report of the Committee on Standards in Public Life, the School's policy on 'whistleblowing' is intended to demonstrate that the School:

- a) will not tolerate malpractice;
- b) respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively;
- c) will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
- d) will invoke the School's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations; and
- e) will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.

Procedure

This policy is separate from the School's adopted procedures regarding grievances. Staff members should not use the 'whistleblowing' procedure to raise grievances about their personal employment situation. Rather, this procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the School including any concerns, no matter how remote or apparently unsubstantiated, related to child protection issues.

Malpractice is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment.

Confidentiality

Staff members who wish to raise a concern under this procedure are entitled to have the matter treated confidentially, and their name will not be disclosed to the alleged perpetrator of malpractice without their prior approval. It may be appropriate to preserve confidentiality that concerns are raised orally rather than in writing, although members of staff are encouraged to express their concern in writing wherever possible. If there is evidence of criminal activity then the Police will in all cases be informed.

The Investigation

Any member of staff is at liberty to express their concern to the Second Master or the Bursar, either in writing or verbally. If the Second Master or the Bursar is the subject of concern then the member of staff should report their concern to the Headmaster.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The member of staff making the allegation will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the resolution. Timescales will depend on the complexity of the initial enquiry, but the member of staff should receive feedback on the investigation and any conclusions reached within 10 working days

A member of staff who is not satisfied that their concern is being properly dealt with will have a right to raise it in confidence in the first instance with the Headmaster and thereafter, if the matter is not resolved, with the Staff Liaison Governor.

External Procedures

Where all internal procedures have been exhausted, a member of staff shall have a right of access to the Chair of Governors.

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 staff member reasonably believes :-

- a) that exceptionally serious circumstances justify it;
- b) that the School would conceal or destroy the relevant evidence;
- c) where they believe they would be victimised by the School; or,
- d) where the Secretary of State has ordered it.

Malicious Accusations

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

Protection from Reprisal or Victimisation

No member of the staff will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and follow the "whistleblower" procedures.