

Including our Early Years Foundation Stage provision

Whistleblowing Policy

Authorised by	Resolution of the Board of Governors
Reviewed	Summer 2015 Autumn 2017 (1-0-1) Autumn 2019 (1-0-2) Autumn 2022 (1-0-3) Autumn 2023 (1-0-4)
To be read with	Keeping Children Safe in Education September 2023 Working Together to Safeguard Children March 2015 (updated July 2018) Staff Code of Conduct Child Protection (Safeguarding) Policy & Safeguarding Guidance

Introduction

St Gabriel's has adopted this policy and the accompanying procedure on whistleblowing to enable workers to raise concerns internally and in a confidential manner where they have reasonable belief that

- Fraud or malpractice or
- health and safety risks or
- criminal offences or miscarriages of justice or
- failure to comply with legal or safeguarding obligations or
- inappropriate behavior or unethical conduct

is being, has been or is likely to be committed, and it is in the public interest to disclose it.

The policy also provides, if necessary, for such concerns to be raised outside the organisation.

About this policy

The School is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards. 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;
- respects the confidentiality of workers 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 only invoke the School's disciplinary procedure in the case of false, malicious, vexatious or frivolous allegations. The 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 workers. Information about this policy will be included in the new worker induction process.

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Procedure

This procedure is separate from St Gabriel's adopted procedures regarding grievances. Employees should not use the whistleblowing procedure to raise grievances about their personal employment situation. In those cases, the School's Grievance Procedure should be used. If you are uncertain whether something is within the scope of this procedure, you should seek advice from the Principal or Bursar.

This procedure is to enable workers to express a legitimate concern regarding suspected malpractice within St Gabriel's.

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

A whistleblower is a person who raises a genuine concern relating to suspected malpractice within St Gabriel's. If you have any genuine concerns related to suspected malpractice, affecting any of the school's activities (a whistleblowing concern) you should report it under this procedure.

If staff, volunteers or other workers feel unable to raise an issue within the school or feel that their genuine concerns are not being addressed, they may use other whistleblowing channels (also detailed in the Child Protection Policy & Safeguarding Guidance) such as:

- Protect, an independent whistleblowing charity, (helpline: 020 3117 2502, email: whistle@protect-advice.org.uk, website: www.pcaw.co.uk).
- The NSPCC whistleblowing helpline (tel: 0800 028 0285 or email: help@nspcc.org.uk).

Confidentiality

The School hopes that workers will feel able to voice whistleblowing concerns openly under this procedure. However, if you wish to raise a concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating the concern to know your identity, this will be discussed with you.

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

We do not encourage you 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 Principal 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. Their contact details are set out above.

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Raising a Whistleblowing concern

We hope that in many cases you will be able to raise any concerns with your line manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Principal, Vice Principal or Bursar.

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 worker making the allegation will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the resolution. 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.

If you are not satisfied that your concern is being properly dealt with, you will have a right to raise it in confidence with the Board of Governors. Alternatively, you can follow the external procedure below.

External Procedures

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

Where all internal procedures have been exhausted, a worker shall have the right of access to an external, independent person or 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 you to alert the media.

It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a worker may be entitled to raise a concern directly with an external body where the worker reasonably believes:

- That exceptionally serious circumstances justify it;
- That St Gabriel's would conceal or destroy the relevant evidence;
- Where they believe they would be victimised by St Gabriel's;
- Where the Secretary of State has ordered it

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.

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Malicious Accusations

False, malicious, vexatious or frivolous accusations will be dealt with in accordance with St Gabriel's Disciplinary Procedure.

Protection from reprisal or victimisation

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.

No member of 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 Whistleblowing procedures. If you believe that you have suffered any such treatment, you should inform the Principal immediately. If the matter is not remedied, you may raise it formally using the School's 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.

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Change History – Date	Version	Changes
November 2017	(1-0-1)	Employee changed to worker and definition added. Specific references to safeguarding policy and government guidance added,
Autumn 2019	(1-0-2)	KCSIE updated to Sept 2019 Contact details for PCAW amended
Autumn 2022	(1-0-3)	Legislation updated Further details of protection from reprisal added
Autumn 2023	1-0-4	Legislation including KCSIE 2023 updated