

Including Sandford, our Early Years Foundation Stage provision

## Whistleblowing Policy

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

### Definitions

In this Policy:

“St Gabriel’s” means the Governors, Executive Management and Senior Staff

“Worker” means all people employed and paid by St Gabriel’s (including teaching, peripatetic and support staff) and those on a contract or other arrangement to do work or services personally for a monetary reward (this excludes self-employed contractors)

“The School” means St Gabriel’s School as an independent provider of education

### 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;
- 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 invoke the School’s disciplinary procedure in the case of false, malicious, vexatious or frivolous allegations; 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. 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, previously known as Public Concern at Work (helpline: 020 3117 2502, email: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk), website: [www.pcaw.co.uk](http://www.pcaw.co.uk)).
- The NSPCC whistleblowing helpline (tel: 0800 028 0285 or email: [help@nspcc.org.uk](mailto: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**

You are at liberty to express your concern to the Principal or the Vice-Principal or the Bursar. If the person expressing the concern feels unable to approach these people 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 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.

## **External Procedures**

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 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

## **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**

No worker will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and following the Whistleblowing procedures.

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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