

## **Whistleblowing Procedure**

Wynstones expects the highest standards of conduct from all staff and volunteers and will treat seriously any concern that is raised about illegal or improper conduct.

Employees are expected to share concerns about any serious impropriety or breach of procedure with the College Education Manager, School Business or Education Manager or Trustees without fear of recrimination.

## **Definition of Whistleblowing**

Whistleblowing has been defined as:

‘The disclosure by an employee or professional of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the work place, be it of the employee or his/her fellow employees’.

*(Public Concern at Work Guidelines 1997).*

## **This policy aims to:**

- Give members of staff the confidence to raise concerns about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice or is inconsistent with school standards and policies so that s/he is encouraged to act on those concerns.
- Provide members of staff with avenues to raise concerns.
- Ensure that members of staff receive a response to the concerns they have raised and feedback on any action taken.
- Offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken in good faith.

## **Examples of illegal and/ or improper conduct**

- Unlawful conduct.
- Miscarriages of justice in the conduct of statutory or other processes.
- Failure to comply with a statutory or legal obligation.
- Potential maladministration, misconduct or malpractice.
- Health and safety issues including risks to the public as well as risks to pupils and members of staff.
- Action that has caused or is likely to cause danger to the environment.
- Abuse of authority.
- Unauthorised use of public or other funds.
- Fraud or corruption.
- Breaches of financial regulations or policies.
- Mistreatment of any person.
- Action that has caused or is likely to cause physical danger to any person or risk serious damage to school property.
- Unfair discrimination or favouritism.

- Racist incidents or acts, or racial harassment
- Any attempt to prevent disclosure of any of the issues listed.

### **Child protection concerns**

All employees and volunteers are expected to report any safeguarding and child protection concerns to the Designated Safeguarding Lead or Deputy Safeguarding Lead as stated in the child protection and safeguarding policy.

Such concerns may relate to:

- The physical, sexual, emotional abuse or neglect of a child.
- An inappropriate or improper relationship between an adult and a pupil.

### **Anonymous allegations**

Allegations can be made anonymously. However, this policy encourages you to put your name to your allegation, as concerns expressed anonymously are often much more difficult to investigate. For example, we may need to contact you to obtain further information or verify the details you have already given us.

Anonymous allegations will be considered wherever possible at the discretion of the school. The factors to be taken into account when determining whether an investigation in such a case can proceed would include:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from other, attributable sources

### **Harassment or victimisation**

Wynstones recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal. We will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith.

However, should you feel that you have suffered harassment, either directly or indirectly as a result of raising a concern, you should refer to the school's harassment and bullying policy and code of practice/ conduct.

### **Confidentiality**

All concerns raised will be treated in confidence and every effort will be made not to reveal the identity of a whistleblower. However, in certain cases, it may not be possible to maintain confidentiality, if a whistleblower is required to come forward as a witness.

### **Unsubstantiated allegations**

If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action is likely to be taken.

### **Procedure for whistleblowing**

As a first step, you should normally raise concerns with College Education Manager, SEM or SBM in writing or verbally. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.

If you feel you cannot express your concerns within the school, it is open to you to raise your concern with someone outside the school such as:

- Chair of Trustees.
- Designated Officer (previously known as LADO) if the matter is about child protection or safeguarding issues.
- Police.
- Health & Safety Executive.
- Relevant professional bodies or regulatory organisations.
- Department for Education.
- SIS / OfSTED.

**What happens next**

The appointed person dealing with your concern will:

- Provide a written response acknowledging receipt of the concern and notifying what will happen next (unless it was an anonymous allegation)
- Look into the allegation - seeking evidence and interviewing witnesses as necessary.
- Maintain confidentiality wherever possible but be mindful that there is no guarantee that the whistleblower can remain anonymous.
- If appropriate, bring the matter to the attention of the Local Authority appointed person dealing with complaints about financial management of schools.
- If appropriate, for concerns of criminal behaviour refer the matter to the Police.
- If appropriate, for concerns of child protection, refer the matter to the Local Authority officer designated to lead on child protection/local authority social services designated manager for child protection. The whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

If the person appointed by the trustees needs to talk to you, you are permitted to be accompanied by a trade union or professional association representative or a fellow member of staff not involved in the area of work to which the concern relates.

The target is to complete the inquiry **within 5 working days** from the date of the initial written response and write to all relevant parties to keep them informed of what is happening (if appropriate).

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| <b>Authorised by:</b><br><b>Name:</b><br><br><b>Job title:</b> | <b>Sign:</b>                         |
| <b>Date:</b>   |                                      |