

Whistleblowing Policy

Date approved:	9 November 2016
Review cycle/date:	Every 3 years; November 2019
Party responsible:	Staffing Committee
Linked policies:	Staff Code of Conduct Policy, Policy Regarding Allegations of Abuse, Child Protection (Safeguarding) Policy, Preventing & Tackling Bullying Policy, Staff Discipline Policy, Staff Grievance Policy, Staff Appraisal & Capability Policy

1. Purpose

To enable employees and other workers at The Swanage School with genuine concerns **about malpractice or wrongdoing in the work of the school** to voice those concerns without fear of victimisation.

This policy applies to:

- employees of The Swanage School
- agency workers at The Swanage School
- people that are training with The Swanage School, but not employed
- self-employed workers, if supervised or working off-site for The Swanage School
- volunteers (non-employees)

These people are collectively referred to as “staff” in this policy.

Staff will be eligible for protection if they honestly think what they’re reporting is true and they think they’re telling the right person and they believe that their disclosure is in the public interest.

2. Whistleblowing Policy and Procedure

The Swanage School is committed to conducting its activities with honesty and integrity, and expects all staff to maintain high standards in accordance with their contractual obligations and The Swanage School’s policies and procedures from time to time in force.

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 or to address them when they do occur.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- To provide them with guidance as to how to raise those concerns.
- To reassure them that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at The Swanage School. The Swanage School reserves the right to amend its content at any time. This Policy reflects The Swanage School's current practices and applies to all individuals working at all levels of the organisation, including the Headteacher, Senior Leadership Team, middle leaders, teaching and support staff, consultants, contractors, trainees, home-workers, part-time and fixed-term workers, casual and agency staff (collectively referred to as "staff" in this policy) who are advised to familiarise themselves with its content.

What is Whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity (including but not limited to financial fraud);
- child protection and/or safeguarding concerns;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal obligation or regulatory requirements (including but not limited to any contractual obligation or common law obligation (e.g. negligence, nuisance, defamation) or unauthorised disclosure of confidential information);
- the deliberate concealment of any of the above matters.

A whistleblower is a person who raises a genuine concern in the public interest relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of The Swanage School's activities (a whistleblowing concern) you should report it under this policy.

This policy should not be used for complaints relating to staff's own personal circumstances, such as the way you have been treated at work. In those cases you should use the Staff Discipline and Grievance Policy or Preventing and Tackling Bullying Policy as appropriate.

Staff who are uncertain whether something is within the scope of this policy should seek advice from the Headteacher.

Raising a Whistleblowing Concern

The Swanage School hopes that in many cases staff will be able to raise any concerns with their Line Manager and/or Head of Department speaking to them in person or putting the matter in writing if they 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 Governing Body.

However, where the matter is more serious, or you feel that your Line Manager/Head of Department has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- The Headteacher
- The Governor with responsibility for Whistleblowing matters, who will usually be the Chair of the Staff sub-committee
- The Chair of Governors

Non-employees who wish to raise a whistleblowing concern should contact one of the above.

The Swanage School will arrange a meeting with the whistleblower as soon as possible to discuss their concern. Staff may bring a colleague or a trade union or other representative to any meetings under this policy who must respect the confidentiality of your disclosure and any subsequent investigation.

The Swanage School will take down a written summary of the concern raised and provide the whistleblower with a copy as soon as practicable after the meeting. The Swanage School will also aim to give an indication how of it proposes to deal with the matter.

Confidentiality

The Swanage School hopes that staff will feel able to voice whistle blowing concerns openly under this policy. However, if a member of staff wants to raise his or her concern confidentially, The Swanage School will endeavour to keep his or her identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of staff's concern to know their identity, The Swanage School will discuss this with the member of staff first.

However, the Swanage School does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if The Swanage School cannot obtain further information. It is also more difficult to establish whether any allegations are credible and have been made in the public interest. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality.

External Disclosures

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

The law recognises that in some circumstances it may be appropriate for staff to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Legitimate whistleblowing concerns would usually relate to the conduct of Swanage School staff, but they may sometimes relate to the actions of a third party, such as a service provider. The law allows staff to raise a concern in good faith with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, staff are encouraged to report such concerns internally first. Staff should contact one of the other individuals set out above for guidance.

Investigation and Outcome

Once a member of staff has raised a concern, The Swanage School will carry out an initial assessment to determine the scope of any investigation. The Swanage School will inform the person raising the concern of the outcome of its assessment. The member of staff raising the concern may be required to attend additional meetings in order to provide further information.

In some cases The Swanage School may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable The Swanage School to minimise the risk of future wrongdoing.

The Swanage School will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent The Swanage School from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

If The Swanage School concludes that a whistleblower has made false allegations maliciously, in bad faith or with a view to personal gain, they will be subject to disciplinary action under The Swanage School's Staff Discipline and Grievance Policy.

Whilst The Swanage School cannot always guarantee the outcome a particular member of staff is seeking, The Swanage School will try to deal with the concern fairly and in an appropriate way. If a member of staff is not happy with the way in which his or her concern has been handled, he or she can raise it with one of the other key contacts outlined above.

Protection and Support for Whistleblowers

It is understandable that whistleblowers are sometimes worried about possible repercussions. The Swanage School aims to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

Staff must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats, bullying, harassment by co-workers or other unfavourable treatment connected with raising a concern. If a member of staff believes that he or she has suffered any such treatment, he or she should inform the Headteacher or other contact identified above immediately. If the matter is not remedied they should raise it formally using The Swanage School's Staff Discipline and Grievance Policy.

Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

Staff are invited to comment on this policy and suggest ways in which it might be improved.

Arrangements for Monitoring and Evaluation

This Policy will be monitored, evaluated and reviewed through discussion with staff and governors.

The Governing Body will review this policy at least every three years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the school.

Public Concern at Work (Independent whistleblowing charity)

If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Helpline: (020) 7404 6609

E-mail: whistle@pcaw.co.uk

Website: www.pcaw.co.uk