

WHISTLEBLOWING POLICY

Introduction

We are committed to delivering services of the highest possible standard and ensuring the safety and welfare of all in our community including pupils and staff. We therefore welcome and encourage any member of staff to come forward and voice any concerns that they may have about any aspect of the College's work. This includes poor or unsafe practices, unethical conduct and potential failures in the safeguarding regime. Members of staff are expected to report malpractice and wrongdoing and may be liable to disciplinary action if they knowingly and deliberately do not disclose information relating to such. The overriding consideration is that it would be in everyone's interest for such malpractice to be corrected and, if appropriate, sanctions to be applied.

We recognise that transparency and accountability is essential, in order to address any issues that may arise and to maintain high standards. We will therefore take any concerns raised seriously and there will be no disciplinary action taken against a member of staff for making such a report, provided that it is done in good faith.

This policy applies to all employees working at Slindon College, including agency workers, self-employed contractors and volunteers.

What concerns come under the scope of this policy

The procedures under this policy should be followed if you have a genuine concern relating to suspected malpractice within the College.

The following are examples of issues that could constitute malpractice. They are not exhaustive:

- Any unlawful act or omission, whether criminal or a breach of civil law
- A breach of any statutory requirements, particularly with regard to safeguarding
- A serious breach of, or failure to implement or comply with, any college policy
- Corruption or fraud of any type
- Any action that could result in physical danger to any person, or give rise to a risk of significant damage to property
- Failure to take reasonable steps to report and rectify any situation which is likely to give rise to loss of income to the college.
- Using the college's powers and authority for any unauthorised or ulterior purpose
- Unfair discrimination in employment procedures

- Dangerous procedures risking health and safety
- Damage to the environment
- Unethical conduct

If the concern relates to your own treatment as an employee, the issue needs to be raised through the grievance policy, a copy of which is available on the staff intranet. A hard copy is also available on request. If you are uncertain whether something is within the scope of this policy, you should seek advice from the Headmaster or the Bursar.

How is a concern raised

- If wrongdoing in the workplace is suspected:
 - Individuals should not be approached or accused directly
 - Individuals should not attempt to investigate the matter themselves
 - Individuals should not convey suspicions to anyone other than the Headmaster or if the suspicion relates to the Headmaster, the Chair of Governors
- As a first step, report the concern to the Headmaster
- If the Headmaster is involved in the matter of concern, report to the Chair of Governors

Concerns may be raised verbally; however, it is advised that they are reported in writing. The report should

- Set out the background and history of the concern
- Give relevant names, dates and places where possible
- State the reason why the situation is of concern

The earlier a concern is expressed, the easier it is to take appropriate action and resolve matters. Complainants are not expected to prove the truth of allegations; however, they are required to demonstrate that there are sufficient grounds for concern.

How the college will respond

The action taken by the college will depend on the nature of the concern. Where appropriate, matters raised by the complainant may:

- Be investigated by SLT or governors
- Become part of a process of mediation
- Be resolved speedily, if possible
- When matters cannot be resolved speedily they may become part of a disciplinary process
- If appropriate (for example referring to safeguarding and child protection), be referred to the Social Service or Police

- If considered appropriate, be the subject of a referral to the General Teaching Council of England
- Be considered in an independent enquiry

Within 7 working days of a concern being raised the Headmaster or Chair of Governors will write to the complainant to:

- Acknowledge receipt of the report and concern
- Indicate how it is proposed to proceed
- Give an estimate of how long it may take to provide a final response

The amount of contact between the complainant and the Headmaster/Chair of Governors managing the complaint depends on the nature of the concerns. If necessary, further information will be sought from the complainant.

Where any meeting is arranged, if it is felt necessary, the complainant maybe accompanied by a colleague or member of a professional association who is not involved in the area of work to which the concern relates.

The College will take appropriate steps to minimise any difficulties the complainant may experience as a result of raising a concern. For example, if the complainant is required to give evidence in criminal or disciplinary proceedings the college will advise about the procedures.

The college accepts that the complainant needs to be assured that the matter has been properly dealt with. Therefore, subject to any legal constraints, as much information as possible will be provided about the outcomes of any investigation. If you are not satisfied that your concern is being properly dealt with, you have the right to raise it with the governors. All contact details are listed in Appendix 1 of this policy.

External procedure

You must use the procedure detailed above first, however where all internal procedures have been exhausted and you still feel that your genuine concerns are not being addressed, you may make a referral to an external body. The appropriate body will depend on the subject matter of the concern. For example, concerns about failures in safeguarding procedures would be reported to the NSPCC, whose details are listed on Appendix 1 of this policy. For a full list of the relevant bodies, please refer to: *Whistleblowing- list of prescribed people and bodies:* (<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>).

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 individual reasonably believes:

- that exceptionally serious circumstances justify it
- that the College would conceal or destroy the relevant evidence
- where they believe they would be victimised by the College
- where the Secretary of State has ordered it.

If you are in any doubt as to whether a direct referral needs to be made, or if you have any other questions, you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are listed on Appendix 1 of this policy.

Your legal rights

This policy has been written to take account of the Public Interest Disclosure Act 1998 which protects workers if they have made a disclosure about malpractice, as long as the disclosure is made in good faith and the Protected Disclosures act 2014, which further defines types of disclosure and who is protected. These acts make it unlawful for the College to dismiss anyone, or allow them to be victimised, to fail to promote or train them on the basis that they have made an appropriate lawful disclosure.

A staff member's disclosure is protected by the legislation when it relates to a "relevant wrongdoing". "Relevant wrongdoing" includes criminal offences; failure to comply with legal obligations (this does not include disclosures of breaches relating to the worker's own terms of employment); miscarriages of justice; health and safety matters; environmental damage; unlawful or improper use of public money; an act or omission by a public body that is oppressive, discriminatory, grossly negligent or constitutes gross mismanagement; and if information in relation to any of the above is concealed or destroyed. This does not necessarily mean that if staff are already the subject of disciplinary procedures that those procedures will be halted as a result of a concern being raised under this policy.

Harassment or victimisation

We recognise that the decision to report a concern can be a difficult one to make and we will not tolerate any harassment or victimisation of anyone who reports a concern. We will take appropriate action to protect you, when you raise a concern in good faith and will treat

harassment or victimisation as a serious disciplinary offence, which will be dealt with under the disciplinary rules and procedures.

Confidentiality and anonymous allegations

We do not encourage staff to make disclosures anonymously, as proper investigation may be more difficult or impossible if we are unable to obtain further information from you. It may also be more difficult to establish whether any allegations are credible.

Such concerns will be considered at the discretion of the college and treated with caution. In exercising this discretion the college will consider the following;

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of obtaining the necessary information and confirmation of the allegation.

All concerns raised, however, will be treated in confidence and every effort will be made not to reveal your identity if that is your wish. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of your disclosure without your help, so you may be asked to come forward as a witness. If you agree to this, we will offer advice and support throughout. Your name will not be revealed without discussing it with you first.

Malicious accusations

The College considers false or malicious allegations as a serious matter. It will regard the making of such allegations by any member of staff as a serious disciplinary offence which could result in dismissal.

If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the complainant. The College will try to ensure that the negative impact of any malicious or unfounded allegation about any employee is minimised.

Record keeping

All concerns, discussions, referrals, decisions and reasons for the decisions will be recorded in writing. Where applicable the record should include the date, time and place of any conversation/discussion and detail of what was said and done by whom and signed by the person making the record.

All incidents of whistleblowing will be reported to the governors, either electronically or at the next meeting. A meeting will be called as soon as possible if the matter is urgent. We are committed to reflecting on our

practices and will ensure practices and procedures are reviewed following any incident of whistleblowing.

All records are kept securely in the Bursar's office

INTERNAL CONTACT DETAILS	
Headmaster	Mr Mark Birkbeck Tel: 01273 814320 Email: hm@slindoncollege.co.uk
Bursar	Mrs Natasha Malby Tel: 01273 814320 Email: bursar@slindoncollege.co.uk
Chair of Governors	Mr David Slee Contact to be made via the Clerk to the governors: Mrs Natasha Malby Tel: 01273 814320 Email: bursar@slindoncollege.co.uk
EXTERNAL CONTACT DETAILS	
NSPCC whistleblowing advice line	Tel: 0800 028 0285 (8a.m. to 8p.m. Monday to Friday) Email: help@nspcc.org.uk Address: Weston House, 42 Curtain Road, London, EC2A 3NH
Public Concern At Work (an independent whistleblowing charity)	Tel: 020 7404 6609 Email: whistle@pcaw.co.uk Website: www.pcaw.co.uk