



# OLD BUCKENHAM HALL

## Whistleblowing Policy OBHP42

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## **'Whistleblowing' Policy and Procedure**

### **Introduction**

The School has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, and failure to comply with legal obligations, inappropriate behaviour or unethical conduct. The policy also provides if necessary, for such concerns to be raised outside the organisation.

The policy reflects Chapter 2.3 of Working Together to Safeguard Children (2018) and the principles of KCSIE (2020).

### **Elements of the Policy**

In accordance with Lord Nolan's Second Report of the Committee on Standards in Public Life, the School's policy on whistleblowing is intended to demonstrate that the School :-

- Will not tolerate malpractice;
- Respects the confidentiality of staff 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 policy and procedure in the case of false, malicious, vexatious or frivolous allegations;
- Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.

### **Procedure**

This procedure is separate from the School's adopted procedures regarding grievances. Individuals should not use the whistleblowing procedure to raise grievances about their personal employment situation.

This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the School.

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

If staff and volunteers feel unable to raise an issue with the School or feel that their genuine concerns are not being addressed, they may use other whistleblowing channels, such as the NSPCC whistleblowing helpline (tel: 0800 028 0285 or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)).

### **Confidentiality**

Individuals who wish to raise a concern under this procedure are entitled to have the matter treated confidentially and their name will not be disclosed to the alleged perpetrator of malpractice without their prior approval. It may be appropriate to preserve confidentiality that concerns are raised orally rather than in writing, although members of staff are encouraged

to express their concern in writing wherever possible. If there is evidence of criminal activity, then the Police will in all cases be informed.

### **The Investigation**

A member of staff will be at liberty to express their concern to the Headmaster, Senior Deputy Head, DSL or Director of Finance and Operations.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The member of staff making the allegation will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the Resolution.

A member of staff who is not satisfied that their concern is being properly dealt with will have a right to raise it in confidence with the Chair of Governors.

### **External Procedures**

Where all internal procedures have been exhausted, a member of staff shall have a right of access to an external person/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 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 School would conceal or destroy the relevant evidence;
- Where they believe they would be victimised by the School;
- Where the Secretary of State has ordered it.

### **Malicious Accusations**

- False, malicious, vexatious or frivolous accusations will be dealt with under the School's Disciplinary Procedure.

### **Protection from Reprisal or Victimisation**

- 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 following the Whistleblowing procedures.

### **Review**

This policy will be reviewed annually by the Headmaster and DSL annually, or when there are changes in legislation.