

# **Whistleblowing Policy (Whole School including EYFS)**

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**Independent Day School for Boys and Girls  
Our Lady of Sion School**

Frequency of Review: 3 Years

Next review: June 2023

## **Whistleblowing Policy and Procedure**

### **Introduction**

Our Lady of Sion School is committed to the highest possible standards of openness, probity and accountability in all of its activities. It also expects a high standard of conduct and integrity from employees. Any employee who has a serious concern about any aspect of the School's work or the actions of any of its employees should voice their concerns through established internal channels, without fear of harassment.

### **Purpose**

The purpose of the policy is to:

- encourage employees to feel confident in raising concerns and to question and act upon their concerns
- provide avenues for employees to raise these concerns and receive feedback on any action taken
- allow employees to take the matter further if they are dissatisfied with the School's response
- reassure them that they will be protected from reprisals or victimisation for whistle blowing in good faith in accordance with the procedure.

### **Safeguarding**

Nothing within this policy is intended to prevent staff from complying with their statutory obligations in accordance with the school's Safeguarding Policy.

You should raise any initial safeguarding concerns about a child with the Designated Safeguarding Lead in accordance with the School's Child Protection and Safeguarding Policy and Procedures.

You should raise any concerns about another staff member with the Headmaster, or if the concern is about the Headmaster, with the Chair of Governors (without first notifying the Headmaster).

### **Remit**

This policy applies to all employees including those working on a temporary or casual basis. There are existing procedures in place to allow staff to lodge a grievance relating to their own employment.

This Policy is intended to cover reasonably serious concerns that fall outside the scope of other procedures. That concern may be about any of the following:

- Whether a criminal act has taken place
- Fraud and Corruption
- Unauthorised use of public funds
- A failure to comply with a legal obligation
- A health and safety risk relating to any individual
- A miscarriage of justice
- A damage to the environment
- Actions that are contrary to any of the School's policies
- Actions or behaviour that falls below established standards of practice
- Abuse and welfare of students or staff
- Harassment or victimisation of students or staff
- Any actions or concerns regarding practice that could result in a financial loss to the School
- The deliberate concealment of information relating to any of the above matters
- Other unethical conduct

This list is not exhaustive.

### **Procedure**

#### **1. Making a disclosure – initial action**

As soon as an employee becomes reasonably concerned about a matter, they should first raise the issue with their line manager (“the receiving manager”), unless the disclosure concerns them, in which case the employee should write to the Headmaster.

Disclosures involving the Headmaster should be raised with the Chair of Governors. In this case, the Chair of Governors may appoint an independent investigator to consider the case and if there are grounds for proceeding. Disclosures concerning a member of the Senior Leadership Team should be raised with the Headmaster. This can be done via the employee’s line manager.

All managers have a responsibility to act on the concerns raised, in accordance with this procedure.

Concerns should be raised in writing and should give the background, the nature of the malpractice that is alleged; relevant dates where possible; the reasons for the concern and the names of individuals against whom the allegations are made.

Once a concern is raised the receiving manager, should report the matter to the Headmaster who will appoint an appropriate manager to investigate [the “investigating manager”]. This could be the receiving manager. The Headmaster will determine whether the matter constitutes a disclosure or whether it should be dealt with under another procedure [the employee will be informed of this]. If the matter is dealt with under the Whistleblowing policy then the employee will then be informed of the name of the investigating manager.

If the matter relates to the Headmaster, the Chair of Governors will appoint the investigating manager. If the matter relates to the Headmaster then decisions for proceeding will be made by the Chair of Governors.

The receiving manager will then inform the employee in writing of the process to be followed. The receiving manager will also inform any employee against whom allegations are made of the allegations. This will normally be done in writing within ten working days. However this may be delayed if it is likely to jeopardise the investigation.

## **2. Handling a disclosure**

The investigating manager will be responsible for deciding whether there are grounds for proceeding further with the case. Potential action that the investigating manager could take includes a clarification of the facts; a more formal investigation or the employee may be advised that the matter is better dealt with under another policy.

Where appropriate, the matters raised may:

- be investigated by the investigating manager or internal auditors
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry by an outside body

This will be determined by the investigating manager in conjunction with the Headmaster or Chair of Governors, as appropriate.

Within four weeks of a concern being raised, the investigating manager will write to both parties:

- indicating how the School proposes to deal with the matter, and where an internal investigation is to take place giving an estimate of how long it will take to provide a full response
- indicating whether further investigations will take place and if not, why not

Appendix 1 provides details of the role of the investigating manager.

Any internal investigation should take no longer than three months to complete from the date of receipt of original disclosure. As part of the investigation, the investigation manager will decide: whether changes should be recommended to any School’s procedure and whether any other action should be recommended. These will be detailed in a final report.

The investigating manager will send a copy of the final report, including recommendations, to the Headmaster or Chair of Governors (as appropriate) who will consider the recommendations and determine what action, if any, to take.

The investigating manager will also give a response in writing to the employee who made the disclosure as soon as possible after the completion of the investigation. This response will include the outcome of the investigation and what action, if any, is to be taken, although precise details may not be given where there are legal constraints, or it would infringe a duty of confidence owed by us to someone else or where there are business reasons for not doing so. The individual who is subject to the disclosure will also be informed of the outcome in writing and what action, if any, is to be taken as soon as possible after the completion of the investigation.

### Appeal

An employee who raises a concern and is not satisfied with the outcome or action proposed may appeal against the decision to a more senior manager within the School. An appeal should be made to the Headmaster within five days' of receipt of the outcome letter. If the whistleblowing procedure involves the Headmaster, they may appeal to the Chair of Governors.

The Headmaster or Chair of Governors will determine who should hear the appeal. The appeal should be completed within one month.

After the appeal process is exhausted, there is no further right of internal appeal. However, if the employee remains dissatisfied they may raise the matter further by contacting an outside agency (Appendix 2).

An employee who is subject to action arising from a whistleblowing disclosure will be able to make representations, within five working days, to the Headmaster about the outcome of the report. The Headmaster will consider these representations and may direct further investigation or review as appropriate. The Headmaster may appeal to the Chair of Governors.

### Timescales

Action	Timescale	By whom
Written acknowledgement of disclosure made in writing or if received verbally, including an outline of process to be followed	Within 10 working days	Person who receives the disclosure – the receiving manager
Confirm in writing to the person complained of that a disclosure has been received and that it is being considered. Outline the process to be followed	Within 10 working days	Person who receives the disclosure – the receiving manager
Confirmation of whether the matter is to be investigated, and if so, how it will be investigated. Letters sent to employee and person complained of	Within four weeks of receipt of disclosure	Person appointed to investigate – the investigating manager
Written confirmation of outcome of investigation and action to be taken. Report sent to Headmaster/Chair of Governors recommendations and determines what action to take. Letters sent to employee and person complained of	Within three months of receipt of disclosure	Person appointed to investigate – the investigating manager
Appeal against outcome of investigation	Within five working days from receipt of outcome	Employee who makes the disclosure

Appeal carried out	Within one month of appeal	Manager appointed to hear the appeal
Appeal to Headmaster/Chair of Governors	Within five working days from receipt of outcome	Employee subject to the disclosure

While the investigating officer will need to adhere to the timescales indicated, the nature of some serious concerns may require the investigation to take longer than three months. In these circumstances all parties will be kept informed as to progress.

### **Bypassing the procedure**

In extreme circumstances you will have the right to raise your concern directly with a relevant and appropriate outside body (Appendix 2) without first having followed the stages above. This may however cause damage to the School and its reputation as well as constitute a breach of your own duty of confidentiality towards the School and this action should only be taken in extreme circumstances and after careful thought.

The School will consider extreme circumstances exist where you have a reasonable belief that: the School will subject you to detriment if you make a disclosure; a cover-up is being mounted by the School; or a disclosure made previously to your Line Manager or the Headmaster or the Chair of Governors above has not prompted a satisfactory response.

### **The media**

Even where extreme circumstances are thought to exist, you should under no circumstances approach a commercial body or the media with details of the suspected wrongdoing. If you approach any such body and / or where your concern is disclosed for personal gain, the School may consider this to be gross misconduct and immediate disciplinary action may be taken against you.

### **Resources**

#### APPENDIX 1

The investigating manager will have the following responsibilities to the School:

- Arrange individual interviews with relevant witnesses or individuals and inform them of their right to be accompanied at the meeting by their trade union representative or work colleague
- Establish the facts/obtain statements/collect documentary evidence
- Maintain detailed records of the investigation process
- Make any recommendations for action to be submitted to a more senior manager

The investigating manager will have the following responsibilities towards the employee who raised the disclosure:

- Hold a formal meeting with the employee making the complaint to discuss the matter
- Inform them of their right to be accompanied at any interview by their trade union representative or work colleague
- Keep the employee up to date with progress on the matter and agree timescales for action
- Notify the employee making the disclosure about the outcome of the investigation, including how the matter will be dealt with and whether they will be required to attend an investigatory interview

The investigating manager will have the following responsibilities towards the employee against whom

the disclosure is raised:

- Inform the individual/individuals about whom the disclosure is made in writing of the disclosure, the seriousness of the allegations and provide any supporting evidence
- Advise in writing of the procedure to be followed
- Give the person the opportunity to respond in person and in writing to the claims made, and receive and consider any relevant evidence
- Inform them of their right to be accompanied at any interview by a trade union representative or work colleague
- The investigating manager may also be required to act as a witness at any subsequent disciplinary hearing if required
- Where necessary the School will provide support, counselling or mediation to any team subject to investigation in order to ensure normal working relationships are resumed as effectively as possible

The manager appointed to hear an appeal will have the following responsibilities:

- Hold appeal meeting with employee who made the disclosure
- Ensure all parties are informed of their right to be accompanied at any meetings by a trade union representative/work colleague
- Review the investigation report/procedure followed and findings
- Decide whether to uphold appeal or not
- Initiate a new investigation if necessary
- Report the appeal findings in writing to the Headmaster, if applicable
- Communicate outcome in writing to the employee making the disclosure and the employee against whom the disclosure is made

## Appendix 2 – Outside bodies

If the employee making the disclosure remains dissatisfied following the outcome of an appeal they shall be entitled to notify a relevant and appropriate body outside the School which may include:

- the Local Authority Designated Officer;
- MASH;
- the Health and Safety Executive;
- the Environment Agency;
- the Information Commissioner;
- the Department for Education (DfE);
- the Department for Business, Enterprise and Regulatory Reform;
- the Police;
- the Charity Commission;
- the Independent Schools Inspectorate (ISI);
- the Office for Standards in Education, Children's Services and Skills (Ofsted).

Whistleblowing Policy

Signed by Chair of Governors.....Dated.....