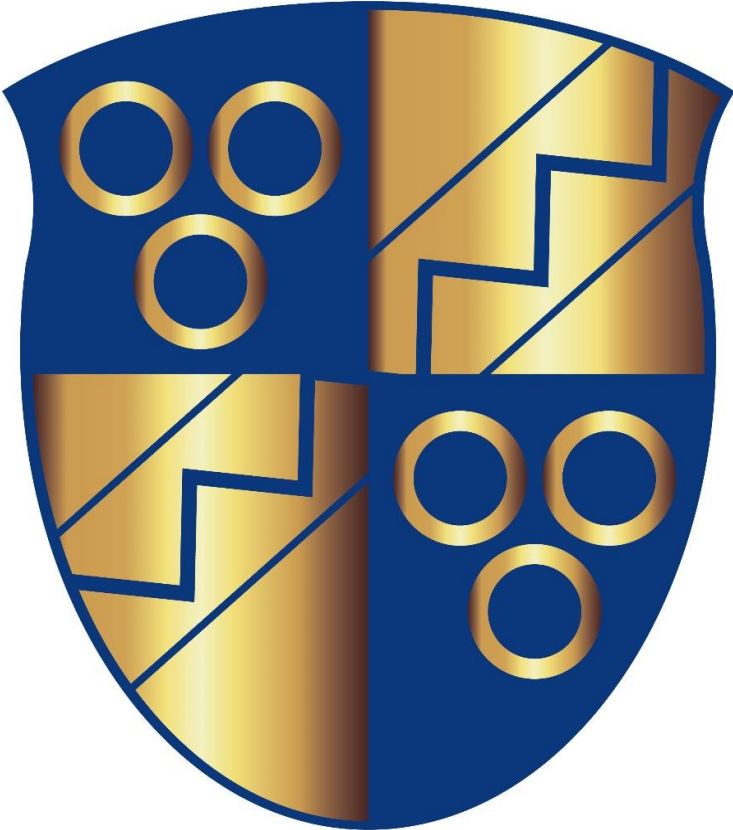


# Whistleblowing Policy

The Oldershaw School



CERTANTI DABITUR

Approved by:	Finance, Audit & Risk Committee	Date:
Policy owner:	HR	
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## 1. Aims

- The staff and trustees of Oldershaw School seek to run all aspects of school business and activity with full regard for high standards of conduct and integrity. In the event that members of School staff, parents, trustees or the School community at large become aware of activities which give cause for concern, Oldershaw School has established the following whistleblowing policy, which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.
- Oldershaw is committed to tackling fraud and other forms of malpractice and treats these issues seriously. It is recognised that some concerns may be extremely sensitive and a system has therefore been developed which allows for the confidential raising of concerns within the School environment but also has recourse to an external party outside the management structure of the School.
- Oldershaw is committed to creating trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the trust in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

This policy is not a substitute for normal line management processes. Staff should always first consider using normal line management for raising concerns.

This policy is only for the purpose of raising concerns about wrongdoing and is not a substitute for existing procedures such as the grievance and disciplinary procedures for staff or the complaints procedure.

Concerns or allegations which fall within the scope of specific procedures, e.g. Child Protection will normally be referred for consideration under those procedures.

## 2. When might the whistleblowing policy apply

The type of activity or behaviour which the School considers should be dealt with under this policy includes:

- manipulation of accounting records and finances
- inappropriate use of School assets or funds
- decision-making for personal gain
- any criminal activity
- abuse of position
- fraud and deceit
- serious breaches of School procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)
- examination malpractice

The malpractice can be past, present or prospective.

## 3. What action should the whistleblower take

Oldershaw School encourages the whistleblower to raise the matter internally in the first instance to allow those School staff and trustees in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

In the first instance you should bring the matter to the attention of your immediate manager, who will inform the Executive Headteacher. If the disclosure contains allegations about your immediate manager or the malpractice occurs at this level, you may make the disclosure directly to the Executive Headteacher.

If your disclosure contains allegations which you do not wish to make to the Executive Headteacher, you can make the disclosure to the Chair of Trustees.

Oldershaw School has designated individuals to specifically deal with such matters and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter.

Ideally, concerns should be made in writing, marked private and confidential and addressed to one of the above named individuals. The letter should include names of those committing the wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter. However, the whistleblower may prefer to raise the matter in person or by telephone. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

If the whistleblower considers the matter too serious or sensitive to raise within the internal environment of the School, you may wish to seek advice from the charity Protect (formerly known as Public Concern at Work), they offer free legal advice in certain circumstances and can be contacted at The Green House, 244-254 Cambridge Heath Road, London E2 9DA. Telephone 020 3117 2520, email: [www.protect-advice.org.uk](http://www.protect-advice.org.uk). Alternatively the whistleblower could seek advice from their trade union or professional association.

#### **4. How will the matter be progressed**

The whistleblower can be assured that they are protected from unfair treatment or risk of dismissal as a result of raising a concern. If however, the concern is found to be malicious or vexatious then disciplinary action may be taken (see section 7)

The individual(s) in receipt of the information or allegation (the investigating officer(s)) will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of School staff legal or personnel advisors, the police, the Department for Education. If possible, the person who raised the concern should be advised of next steps and estimated timeframe if possible.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the trust board, will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral such as the police.

The whistleblower will be informed of the results of the investigation and the action taken to address the matter. It might not be possible to provide full details of the outcome if it contains personal details of a third party, because we have a duty to protect personal information under the Data Protection Act.

Beyond the immediate actions, the Executive Headteacher, trustees and other staff, will review policies and procedures as necessary to prevent further occurrences of the same wrongdoing.

Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the trust board.

If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigating officer(s), and / or the trust board.

#### **5. Respecting confidentiality**

Wherever possible Oldershaw School seeks to respect the confidentiality and anonymity of the whistleblower. It must be appreciated that confidentiality may not be reasonably practicable because of

the nature of the information. In addition, the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence.

We hope you will feel comfortable to voice any concerns openly, however, you may make a disclosure anonymously. However, concerns expressed anonymously cannot be dealt with as effectively as open disclosures as they are often more difficult to investigate.

## **6. How will the School treat whistleblowers**

The School will not tolerate any attempt to victimise the whistleblower or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances. If an allegation is made in good faith but it is not confirmed by the investigation no action will be taken against you.

Where an employee may have been party to an act of gross misconduct on which they are now blowing the whistle this could be considered in mitigation. They are not, however, exempt from disciplinary action.

## **7. Raising unfounded malicious concerns**

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If however, the investigation finds no wrong doing and that an individual has raised malicious unfounded concerns, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

## **8. Training**

All staff are made aware of this policy and it's availability on the School's website

All managers will be fully briefed as to their role in supporting this Policy and the appropriate action to take in the event of any disclosure being made to them.

## **9. Conclusion**

Existing good practice within our School means that impropriety would rarely occur. This whistleblowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and if necessary outside the management structure of the School. This document is our commitment that concerns are taken seriously and will be actioned.

## **10. Monitoring arrangements**

This policy will usually be reviewed every 3 years, but can be revised as needed. This policy will be approved by the Trust Board.

## **11. Links with other policies**

This policy links with our policies on:

- Staff grievance
- Staff disciplinary
- Complaints
- Child Protection

Throughout this policy, the term whistleblower denotes the person raising the concern or making the complaint