St Mary's School
CAMBRIDGE

Whistle Blowing Policy

The Governors will undertake an annual review of this policy, its procedures, and its operation as part of the School's annual review of safeguarding and update it as necessary.

Last review: October 2020

Next review: October 2021

Rationale

St Mary's School, Cambridge ('School') is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, 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, a 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 School.

About this policy

The School is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards. 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 and to address them when they do occur.

The School's policy on whistleblowing is intended to demonstrate that it:

- 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 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.

Application

The Policy applies to all staff working at the School and for the purposes of this Policy 'staff' is defined as any person working at the School, whether under a contract of employment or contract for services, whether paid or unpaid, whatever their position, role or responsibilities. Staff includes (but is not limited to) teachers, supply teachers, peripatetic teachers, teaching assistants and support, coaches, part-time staff, graduate/language assistants, sports/gap year assistants, all support staff, temporary staff and casual workers, exam invigilators, work experience students and volunteers.

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. If you are uncertain whether something is within the scope of this procedure you should seek advice from the Bursar.

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 Behaviour Policy, 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.

A *whistle-blower* is a person who raises a genuine concern relating to suspected malpractice within the School. If you have any genuine concerns related to suspected malpractice affecting any of the School's activities (a whistleblowing concern) you should report it under this procedure.

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 report their concerns to other whistleblowing channels, such as:

- Protect, an independent whistleblowing charity, previously known as Public Concern at Work Helpline: 020 3117 2502, email: whistle@protect-advice.org.uk, website: www.pcaw.co.uk
- The NSPCC whistleblowing helpline. Tel: 0800 028 0285 or email: help@nspcc.org.uk.

Confidentiality

We hope that staff will feel able to voice whistleblowing concerns openly under this procedure. However, if you wish to raise a concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating the concern to know your identity, this will be discussed with you.

If there is evidence of criminal activity, then the Police will in all cases be informed.

We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistle-blowers who are concerned about possible reprisals if their identity is revealed should discuss this with the Bursar and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are set out above.

Raising a whistleblowing concern

Matters which are not of a child protection or safeguarding nature

You are at liberty to raise a whistleblowing concern to the Head of the Juniors, or Head, Deputy Heads, or the Bursar. If the person expressing the concern feels unable to approach the Head of Juniors, Head, the Deputy Heads, or the Bursar directly, then the Chair of Governors should be the first point of contact.

Matters which are of a child protection or safeguarding nature

If there are concerns about poor or unsafe practice and potential failures in the School's safeguarding regime these should be raised with any member of the Senior Leadership team at the Junior School or Senior School.

Safeguarding concerns about another staff member or the Head

Please see page 18 onwards of the Safeguarding and Child Protection Policy (see the School website). These concerns should be raised with the Head. Where there are concerns about the Head or if the Head is absent from School or if staff are not satisfied that their concern is being/has been properly dealt with, the concern should be raised with the Chair of Governors.

Staff must remember that if they have a concern regarding a safeguarding issue that they feel is not being properly dealt with by the School they may make a referral to Children's Social Care (see numbers in the Safeguarding and Child Protection Policy and on the safeguarding posters in School).

A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this procedure. Your companion must respect the confidentiality of your disclosure and any subsequent investigation. You may be required to attend additional meetings to provide further information as the concerns raised are investigated.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. You will be kept informed of progress and, whenever possible and subject to third party rights, informed of the resolution. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If you are not satisfied that your concern is being properly dealt with you will have a right to raise it in confidence with the Chair of Governors.

External Procedures

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). Except for safeguarding and child protection concerns, such steps should only be taken where all internal procedures have been exhausted.

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.