St Mary's School
CAMBRIDGE

Whistleblowing Policy

This policy is the responsibility of the Governors.

Last review: March 26

Next review: March 27

Introduction

St Mary's School, Cambridge (the 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.

Whistleblowing is the disclosure of information which relates to suspected wrongdoing, malpractice or dangers at work. '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 (negligence).

A whistleblower 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.

About this 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.

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 occasionally going wrong, 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

This policy applies to all individuals working for the School at all levels (whether permanent, fixed term or temporary), and includes Governors, volunteers, agents or any other person associated with us (collectively referred to as "staff" in this policy).

This policy also covers conduct of third parties; such as contractors, students and supply 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. If you are uncertain whether something is within the scope of this procedure you should seek advice from the Head of HR and Compliance.

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;
- acting contrary to the Staff Behaviour Policy, including sexual harassment;
- criminal activities;
- failing to comply with a legal obligation;
- a miscarriage of justice;
- creating or ignoring a serious risk to health, safety or the environment;
- malpractice relating to exam administration;
- malpractice relating to the reporting of actual, alleged or suspected candidate/centre malpractice.

A whistleblower 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 anonymous. 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 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. Whistleblowers who are concerned about possible reprisals if their identity is revealed should discuss this with the Head of HR and Compliance and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt, you can seek advice from Protect.

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, 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 or allegations about another staff member or the Head

Please see the Safeguarding and Child Protection Policy.

Allegations or concerns should be reported straight away to the Head. If the Head is the subject of the allegation or concern, reports should be made to the Chair of Governors. Where the Head is the subject of the allegation or concern, the Head must not be informed of the allegation prior to contact with the Chair of Governors and Designated Officer.

Where the Head is unavailable this should be referred to the Designated Safeguarding Lead (DSL), unless there are concerns about the DSL, in which case it should be referred to the nominated Safeguarding Governor.

An allegation against a Governor should be reported immediately to the Safeguarding Governor. If the Safeguarding Governor is the subject of the allegation, it should be reported to the Senior Deputy Head.

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).

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 and/or 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 (LADO, 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.

We strongly encourage you to seek advice before reporting a concern to anyone external.

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. If you believe that you have suffered any such treatment, you should inform the Senior Deputy Head or Bursar immediately. If the matter is not remedied, you may raise it formally using the School's Grievance Procedure.

You must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct, you may be subject to disciplinary action.