



# PINEWOOD

*Est. 1875*

## **WHISTLEBLOWING POLICY**

A Whole-School policy including the EYFS

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 or unethical conduct. The policy also provides if necessary, for such concerns to be raised outside the organisation.

Pinewood School aims to have a culture of safety, of raising concerns, of valuing staff and of reflective practise. This policy outlines the procedure for reporting and handling concerns.

### **What is Whistleblowing?**

Whistleblowing is the term used when a worker passes on information concerning wrongdoing. This wrongdoing will usually (although not necessarily) be something they have witnessed at work.

Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for staff to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have “blown the whistle”.

### **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. Staff should not use the whistleblowing procedure to raise grievances about their personal employment situation. In order to be covered by whistleblowing law, a member of staff who makes a disclosure must reasonably believe that they are acting in the public interest. This means that personal grievances and complaints are not usually covered by whistleblowing law.

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 child abuse, fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, failures in the school's safeguarding and Prevent regime, 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. It also includes covering up wrongdoing in the above categories.

## **Confidentiality**

Members of staff 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 or Deputy Head or the Bursar. Members of staff do not have to have evidence of their concern in order to raise an issue.

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. Where appropriate the School will also provide mediation and dispute resolution for staff.

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 Governor with Staff Welfare responsibility, currently Mr Guy Foster.

## **External Procedures**

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 employee 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.

Should staff feel unable to raise concerns regarding a Child Protection issue, or feel that a genuine concern is not being addressed, they may also wish to follow other whistleblowing channels including the NSPCC whistleblowing helpline (0800 028 0285) (from 8am – 8pm) or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

## **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 the 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.

## **Training & Communication of the Policy**

All staff are required, on an annual basis, to re-read the Whistleblowing Policy and sign to say they have read and understood it. The Policy is referenced in the Staff Handbooks and new staff are informed of it during their inductions.

Staff can access further information regarding 'Whistleblowing' by referring to 'Public Concern at Work' 0207 404 6609 [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk) or by contacting ACAS 0300 123 1100 [www.acas.org.uk](http://www.acas.org.uk)

## **Monitoring**

A record is kept by the Headmaster detailing the number of whistleblowing disclosures the School has received and the content of feedback provided to whistleblowers. Where appropriate regular contact will be made with the whistleblowers to ascertain their satisfaction.

Reviewed October 2020 by the Governance Committee  
Next Review Date: October 2021