



RUGBY
SCHOOL
GROUP

Whistleblowing Policy

September 2023

1.0 INTRODUCTION

1.1 DEFINITIONS

‘The School’ refers to all establishments under the Rugby School Group either collectively or separately.

1.2 For the purposes of this policy, ‘staff’ or ‘staff member’ refers to anyone working at the School under a contract for employment or services or otherwise than under a contract, governors and other workers, including casual staff, agency staff, work placement students and independent contractors and consultants. Volunteers may also fall under the definition as used in this policy.

1.3 The School is committed to conducting its business with honesty and integrity, and we expect all staff to maintain high standards in accordance with the Code of Conduct. 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. This policy and procedure is designed to deal with disclosure of information by a staff member, which relates to some danger, bribery, corruption, fraud or other unlawful or unethical conduct in the workplace. Employment legislation governs the making of disclosures concerning workplace activities and is intended to protect staff members who blow the whistle on bad practice from being subjected to any detriment or from being unfairly dismissed as a result.

2.0 SCOPE

2.1 The aims of this policy are to:

- encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- provide staff with guidance as to how to raise those concerns; and
- reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

2.2 All types of wrongdoing are included whether they are acts committed by fellow staff members, faults in School procedures or oversights that should be rectified. The procedure should be used even in the event that the act or omission causing you concern has finished or has not yet started.

2.3 This policy applies to all staff members, governors, consultants, contractors, volunteers, work placement students, casual workers, agency workers. They are asked to report any concerns, which they may have about alleged workplace malpractice internally and in accordance with this policy. The School will support the individual if they make a report.

2.4 This procedure should not however be used where you have a complaint relating to

your personal circumstances in the workplace. The Grievance Procedure should be used in such cases.

3.0 POLICY STATEMENT

3.1 WHEN SHOULD THIS PROCEDURE BE USED?

3.2 Staff members should use this procedure if they have a genuine concern about suspected past, current or future workplace malpractice (see examples below) and such disclosure is in the public interest. It may not always be clear whether the conduct, which concerns them, amounts to malpractice and they will need to form their own judgment. The School would encourage individuals to report their concerns where they are in doubt without fear of reprisals, even if they turn out to be mistaken.

3.3 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity;
- safeguarding concerns, including low-level concerns about staff;
- failure to comply with any legal [• or professional] obligation or regulatory requirements;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- bribery;
- financial fraud or mismanagement;
- other unlawful or unethical conduct in the workplace; or
- the deliberate concealment of any of the above matters.

4.0 HOW TO REPORT A CONCERN

4.1 If a staff member has a concern, they should report it to their Head of Department or Line Manager or, if the concern is related to safeguarding, to the Designated Safeguarding Lead (DSL).

4.2 A whistleblower is a person who raises a genuine concern relating to any of the above. Reporting concerns about your own conduct or alleged conduct will not be considered whistleblowing but rather as part your contractual duty of disclosure, with investigation commenced as appropriate. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities and such disclosure is in the public interest (a whistleblowing concern) you should report it under this policy.

4.3 They should indicate if they wish to remain anonymous or raise a matter in confidence. The School will take into account any request for confidentiality, but it may not be able to guarantee confidentiality. Disclosure of their identity or of information may become unavoidable in the course of an investigation or in court proceedings. If they have any personal interest in the matter, they should declare it when raising the concern.

5.0 HOW WILL THE SCHOOL DEAL WITH THE MATTER

5.1 STAGE 1

Procedure: You should disclose the suspected wrongdoing first to your Head of Department / Line Manager. In the event that your Head of Department / Line Manager is involved in the suspected wrongdoing, you shall be entitled to proceed directly to Stage Two of this procedure. If the concern relates to safeguarding, it should be reported directly to the DSL.

- 5.2 Response: You can expect a response detailing to whom the disclosure has been notified or any action taken within 7 working days (dependent on School holidays) of your Head of Department / Line Manager or DSL becoming aware of the disclosure.

5.3 STAGE 2

Procedure: If no response is forthcoming after 7 working days (dependent on School holidays) or if your Head of Department / Line Manager is involved in the suspected wrongdoing you shall be entitled to notify the Executive Head Master or Chief Operating Officer (COO), as appropriate.

- 5.4 Response: You can expect a response detailing any action taken within 7 working days (dependent on School holidays) of the Executive Head Master or Chief Operating Officer (COO) becoming aware of the disclosure.

5.5 STAGE 3

Procedure: If no such response is forthcoming after 7 working days (dependent on School holidays), you should inform the Chair of Governors of the disclosure.

- 5.6 Please note that if the disclosure/matters raised requires significant lengthy investigation the School reserves the right to provide a response outside the timescales given above. You will be kept notified of this during the investigation.

6.0 NSPCC

- 6.1 The NSPCC whistleblowing advice line is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 800 5000 (8am-10pm Monday-Friday or 9am-6pm weekends) or email help@nspcc.org.uk.

- 6.2 Bypassing the procedure: In extreme circumstances, you will have the right to raise your concern directly with a relevant and appropriate outside body 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 exceptional circumstances and after careful thought.

6.3 Exceptional circumstances: The School will consider exceptional circumstances exist where you have a reasonable belief that: the School will subject you to detriment if you inform your Head of Department / Line Manager in accordance with Stage one above or if you inform the Executive Head Master or Chief Operating Officer (COO) in accordance with Stage two or you inform the Chair of Governors in accordance with Stage three; a cover-up is being mounted by the School; or a disclosure made previously to your Head of Department / Line Manager or the Executive Head Master or Chief Operating Officer (COO) or the Chair of Governors in accordance with the stages above has not prompted a satisfactory response.

7.0 SUPPORT AND PROTECTION

7.1 The School will provide appropriate support for anyone raising a genuine concern provided this procedure is used appropriately and correctly; you will not suffer any detriment as a result of reporting a suspected wrongdoing in good faith. In particular, it will not tolerate retaliation or victimisation.

7.2 Provided that this procedure is used appropriately and correctly, you will not suffer any detriment as a result of reporting the wrongdoing. A failure to follow this procedure may however make the disclosure unreasonable and the protection given to you by this procedure may be lost.

7.3 Staff are strongly encouraged to seek advice before reporting a concern to anyone external. In most cases you should not find it necessary to alert anyone external but before you do, as well as considering the internal help and support available which is identified above, please seek external advice from:

- **Protect:** If you have any concerns about disclosing a suspected wrongdoing the independent whistleblowing charity, Protect, operates a confidential helpline. Staff can call 020 3117 2520 for advice.
- **NSPCC:** The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0808 800 5000 (12.00 pm to 4.00 pm Monday to Friday) or email help@nspcc.org.uk.
The Modern Slavery helpline: The Modern Slavery helpline is available for staff who do not feel able to raise concerns about modern slavery internally. Staff can call on 0800 0121 700.

8.0 EXTERNAL REPORTING

8.1 It is recognised that there may be circumstances where a staff member feels they should properly report matters to external bodies.

8.2 If they are unsure whether this is appropriate and do not feel able to discuss the matter internally with the HR Director.

8.3 Under no circumstances should staff approach or report any matters to 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 in a malicious

manner or for personal gain, the protection given to you by this procedure may be lost. Additionally, the School may consider this to be gross misconduct and disciplinary action may be taken against you.

8.4 The School believes that contacting an external body should only apply in exceptional circumstance. If they do so, they should inform the Chief Operating Officer (COO).

8.5 **Outside body:** The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. The law recognises, that in some circumstances it may be appropriate to report concerns to a relevant outside body including:

- the local authority's Designated Officer;
- Children's Social Care;
- the NSPCC;
- the Health and Safety Executive;
- the Environment Agency;
- the Information Commissioner;
- the Department for Education, where referrals can be made at <https://www.gov.uk/contact-dfe>;
- the Department for Business, Energy and Industrial Strategy;
- the police;
- the Charity Commission;
- the Boarding Schools Association;
- the Independent Schools Inspectorate;
- the Office for Standards in Education, Children's Services and Skills (**Ofsted**);
- the Channel Police Practitioner;
- Teaching Association;

This list is not exhaustive.

9.0 MISUSE OF THIS PROCEDURE

9.1 It is a very serious matter to raise a concern, which a staff member knows to be false, or which is made in bad faith or maliciously. Such action may amount to gross misconduct and may result in disciplinary action under the School's disciplinary policy.

10.0 CONFIDENTIALITY

10.1 We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity withheld. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

10.2 Anonymous disclosures: 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.

10.3 Any School information/records including details of students, parents and staff members whether actual, potential or past, other than those contained in authorised and publicly available documents, must be kept confidential unless the School's prior written consent has been obtained. This requirement exists both during and after your employment. In particular, you must not use such information for the benefit of any future employer.

11.0 SAFEGUARDING

11.1 Nothing within this policy is intended to prevent staff from complying with their statutory obligations in accordance with Keeping Children Safe in Education (DfE, September 2022). In particular:

- **Safeguarding / Child Protection Policy:** If you have any concern about a pupil's welfare, action should be taken immediately (even if they are low level concerns). You should report the concern to the Designated Safeguarding Lead or the Deputy Designated Safeguarding Lead. See the School's 'Safeguarding and Child Protection Policy' and associated procedures for full information about what to do if you have a concern about a pupil, including what to do if the Designated Safeguarding Lead is not available.
- **Safeguarding - member of staff:** Low-level concerns about staff should be raised with the Designated Safeguarding Lead. You should raise any more serious safeguarding concerns about another staff member with the Head Master, or if the concern is about the Head Master, the Chief Operating Officer, with the Chair of Governors (without first notifying anyone else). More information may be found in the School's 'Safeguarding and Child Protection Policy' and associated procedures.
- **Whistleblowing Policy:** You should follow this procedure to raise concerns about poor or unsafe practices at the School or potential failures by the School or staff to properly fulfil its safeguarding responsibilities.

12.0 THE MODERN SLAVERY HELPLINE

12.1 The School is committed to the prevention of Modern Slavery. If you have any queries relating to Modern Slavery, please contact the HR Director and/or refer to the School's Anti-Slavery and Human Trafficking Policy. Identified instances of modern slavery should be immediately notified to the Police. If you think you have identified an instance of modern slavery, or if you consider that you may be a victim of modern slavery you may contact the Modern Slavery helpline on 0800 0121 700.

13.0 EXIT INTERVIEWS

13.1 All staff are trained so that they understand they are expected and encouraged to raise concerns they have, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment in accordance with this policy. Safeguarding children is at the centre of the School's culture and concerns should always be raised in accordance with paragraph 11 above.

If issues have not been identified before, safeguarding will always be considered formally during staff performance development reviews and appraisal and finally at exit interviews which are held upon request with employees leaving the School. Staff who raise concerns about working practices at the School to the Designated Safeguarding Lead or an appropriate senior member of Staff will be protected from detriment under this policy.

14 BREACHES

14.1 Breaches of this policy by any staff member will be dealt with in accordance with the Discipline Policy and Procedure.

15.0 STATUS

15.1 This policy is intended only as a statement of School policy. It does not form part of the contract of employment and has no contractual effect.

16.0 RELATED POLICIES

Anti-Slavery and Human Trafficking
Discipline Policy and Procedure
Safeguarding and Child Protection Policy
Code of Conduct

17.0 FURTHER INFORMATION

17.1 Further information and guidance regarding this policy or its application can be obtained from the HR Department; hr@rugbyschool.net