

## Whistleblowing Policy and Procedures

### Introduction

The School is committed to ensuring a safe and secure environment where all staff feel valued and a culture of reflective practice is promoted. The School has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and confidentially in regard to fraud, malpractice, health and safety, including failures in the School's safeguarding procedures, 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 School organisation.

### Aims 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:

- Does not tolerate malpractice;
- Respects the confidentiality of staff raising concerns and of staff against whom an allegation is made and provides procedures to maintain confidentiality for both parties so far as is consistent with progressing the issues effectively;
- Provides the opportunity to raise concerns outside of the normal line management structure;
- Invokes the School's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations;
- Provides a clear and simple procedure for raising concerns, which is accessible to all members of staff.

This procedure is separate from the School's adopted procedures regarding grievances. Employees should not use the whistleblowing procedure to raise grievances about their personal employment situation. 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 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 and safety and the safeguarding of children.

## **Confidentiality**

Employees who wish to raise a concern 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. Additionally, the confidentiality of any individual against whom an allegation is made will be maintained as far as possible. It may be appropriate in order 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.

## **Raising a Concern**

All whistleblowing concerns should be made directly to the Head and / or the Chair of Governors (Reverend Dr Stephen Cherry – [chair@kcs.cambs.sch.uk](mailto:chair@kcs.cambs.sch.uk)). Where staff feel unable to raise a concern with the Head or Chair of Governors, they can register the concern with an external agency (further details are below).

Concerns should be put in writing wherever possible, clearly stating:

- the issue is being raised in accordance with the *Whistleblowing Policy*;
- the background and history of the concerns;
- names, dates and places where possible; and
- reasons why the situation is particularly concerning.

Staff are encouraged to include their name; concerns given anonymously are not likely to be effective and will be considered at the discretion of the School.

A meeting or telephone call may be arranged if the staff member is not comfortable putting their concerns in writing.

Staff are not expected to be able to prove the truth of any allegation, however, they must be able to demonstrate that there are sufficient grounds for the concern.

## **What happens next?**

Once a concern has been raised, the School will:

- provide the whistleblower updates on the nature and progress of any enquiries;
- take action to protect the whistleblower from harassment or victimisation;
- provide mediation or dispute resolution, if appropriate;
- protect the whistleblower's identity if requested, however, this may not always be possible, e.g. if a signed statement is required for a disciplinary proceeding; and
- take no action against the whistleblower if the concern was raised in good faith and later confirmed to be unfounded.

The School will make initial enquiries to decide whether an investigation is required and what form it should take. Possible outcomes are:

- the matter may be resolved simply with no further investigation required;
- be investigated internally by an appropriate manager;
- be referred to the Local Authority Designated Officer for advice;
- be referred to the police;
- form the subject of an independent inquiry.

Concerns or allegations that raise issues covered by other School policies or procedures will normally be addressed under those procedures e.g. disciplinary, child protection procedures.

### **Response**

Staff will receive a response within 10 working days. The response will:

- acknowledge a concern has been raised;
- indicate a proposal on how to deal with the matter;
- give an estimate of how long it will take to provide a final response; and / or
- indicate whether any initial enquiries have been made and whether any further investigations will take place; or
- explain the reasons for not investigating further; or
- if the situation is not yet resolved, indicated when the whistleblower is likely to receive further details.

If the concern is deemed to be unfounded, the School will consider the matter concluded and will not expect the concern to be raised again unless new evidence becomes available.

A member of staff who is not satisfied that their concern is being properly dealt with has a right to raise it in confidence with an external agency (see below).

### **External Advice**

Should a member of staff not feel comfortable raising a concern internally, they may contact an external agency directly. As per the Public Disclosure Act 1988, there are certain circumstances where this may be preferable. These may include 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.

A member of staff may raise a concern directly with Public Concern at Work – a confidential Whistleblowing Advice Line (<https://protect-advice.org.uk>).

## **Malicious Accusations**

False, malicious, vexatious or frivolous accusations will be dealt with under the School's disciplinary procedures as detailed in the *Staff Code of Conduct*.

## **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.

Signed:



The Reverend Dr Stephen Cherry  
Dean, King's College, Cambridge  
Chair of Governors, King's College School

17<sup>th</sup> March 2021

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Policy Owner:	Head / Bursar
Authorisation:	Chair of Governors, On behalf of the Board of Governors