

Whistleblowing Policy

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Introduction:

Adults working in a school are often the first to realise that someone's behaviour is causing, or is likely to cause, harm to a child or young person. Wychwood School, Oxford is committed to safeguarding and promoting the welfare of every child, and expects the highest possible standards of openness. The School encourages an open working environment where staff feel empowered and able to raise concerns about any part of their employment including the behaviour of their colleagues and managers. As part of safeguarding inductions, staff are trained in what to do if they have a concern, raising the matter internally to the Senior Leadership Team (SLT), Designated Safeguarding Lead (DSL), or Safeguarding Director and externally via the Oxfordshire Safeguarding Children's Partnership (OSCP) and Local Authority Designated Officer (LADO). All contact details are within the *Safeguarding and Child Protection Policy*.

Scope:

This policy is separate from our adopted procedures regarding grievances. You should not use the whistleblowing procedure to raise concerns relating to your own personal circumstances, such as the way you have been treated at work. In those cases, our Staff Grievance Procedure should be used, as appropriate. If you are uncertain whether something is within the scope of this procedure, you should first seek advice from the Head or Director of Operations.

This procedure has been implemented to enable you to express a legitimate concern regarding suspected malpractice within the School.

It is important that staff are aware that if an allegation is disclosed to them of abuse, harm (or potential harm) or that a criminal offence may have taken place, they must follow the *Management of Allegations Against Staff Policy*.

Definitions:

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.

Responsibilities:

It is the responsibility of the individual to bring matters of concern to the attention of their Line Manager, DSL or the appropriate colleague. Although this can be difficult this is particularly important where the welfare of children may be at risk.

Reasons for whistle blowing:

- Each individual has a responsibility for raising concerns about unacceptable practice or behaviour.
- To prevent the problem worsening or widening.
- To protect or reduce risks to others.
- To prevent becoming implicated yourself.

How to raise a concern

- Initially, concerns should be raised to your immediate manager, or if your concern is regarding your manager - the Head. If your concern is regarding the Head, you should contact the Safeguarding Director, Simon Tyrrell. (See *Safeguarding and Child Protection Policy*)
- You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner it is possible for action to be taken.
- Try to pinpoint what practice is concerning you and why.
- Approach someone you trust and who you believe will respond.
- Make sure you get a satisfactory response—don't let matters rest.
- Put your concerns in writing wherever possible so you have a record

Internal Procedures

A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a colleague or trade union representative to any meetings under this procedure. Any companion must respect the confidentiality of the disclosure and any subsequent investigation. You may be required to attend additional meetings in order 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 the progress of the investigation and its likely timescale. Whenever possible and subject to third party rights, you will be informed of the resolution. However, sometimes the need for confidentiality may prevent us giving 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 Safeguarding Director, Simon Tyrrell. (See *Safeguarding and Child Protection Policy*). Alternatively, you can follow the external procedure below.

External Procedures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing within the School. In most cases you should not find it necessary to alert anyone externally.

However, if all internal procedures have been exhausted, you 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). It will very rarely, if ever, be appropriate for you to alert the media.

It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where you may be entitled to raise a concern directly with an external body where you reasonably believe:

- that exceptionally serious circumstances justify it;
- that we would conceal or destroy the relevant evidence;
- that you would be victimised by us; or
- where the Secretary of State has ordered it.

We strongly encourage you to seek advice before reporting a concern to anyone externally. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Confidentiality

We hope that you 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, the Police will be informed in all cases.

We do not encourage you to make disclosures anonymously. However, 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 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.

Malicious Accusations

False, malicious, vexatious or frivolous accusations will be dealt with under our *Disciplinary Procedures*.

Protection from Reprisal or Victimisation

It is understandable that staff are sometimes worried about possible repercussions as a result of a raising a whistleblowing disclosure. We aim to encourage openness and will support you if you raise genuine concerns under this policy, even if you turn out to be mistaken.

You will not suffer a detriment or be disciplined for raising a genuine and legitimate concern, provided you do so in good faith and following the whistleblowing procedures. If you believe that you have suffered any such treatment, you should inform the Head, Deputy or DoO immediately. If the matter is not remedied, you may raise it formally using our *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.

External Support

Public Concern at Work, an independent charity - can give free confidential advice about how to raise a concern about malpractice at work (020 7404 6609) www.pcaw.co.uk

NSPCC whistle-blowing helpline: 0800 028 0285 or help@nspcc.org.uk for staff who feel unable to raise concerns regarding child protection internally

Protect, an independent whistleblowing charity (helpline: 020 3117 2502, email: whistle@protect-advice.org.uk, website: <https://protect-advice.org.uk/>).