



**theHammond**

## **WHISTLEBLOWING POLICY**

**2023-24**

THE HAMMOND SCHOOL LTD., MANNINGS LANE, CHESTER, CH2 4ES

Telephone: 01244 305350 | Web: [www.thehammondschool.co.uk](http://www.thehammondschool.co.uk) | Email: [contact@thehammondschool.co.uk](mailto:contact@thehammondschool.co.uk)

The Hammond School Limited is registered in England and Wales Number 838325. Registered office is above. Charity Number 1022427 incorporating the Betty Hassall Foundation. The school is accredited by the I.S.A and C.D.E.T. and is a member of the B.S.A and I.S.I.

## **Introduction**

The Hammond fully supports and encourages all members of the school community to report any issues relating to staff conduct and behaviour.

This policy has been designed to help all staff know who they can contact if they wish to raise a concern.

This policy explains the types of concerns that can be raised under this procedure, the legal protection for whistleblowers and how whistleblowing concerns will be handled.

This procedure should be followed for any whistleblowing matters raised by employees of the school, supply staff and agency workers.

The term 'principal' has been used throughout this procedure, however the principal's role in the procedure may be delegated to other members of the senior leadership team, school business managers or line managers as appropriate.

Where the principal is subject to these procedures, it will be managed by the Chair of Directors.

The Hammond is committed to the highest possible standards of:

- openness and inclusiveness
- accountability
- integrity.

## **Aim of procedure**

- To encourage those working in the school to report suspected wrongdoing promptly, in the knowledge that it will be taken seriously.
- To provide guidance on how to raise concerns.
- To reassure staff that they are able to raise genuine concerns made in the public interest without fear of reprisals, even if they turn out to be mistaken.

## **What is Whistleblowing?**

Whistleblowing is when a worker reports certain types of wrongdoing or misconduct within an organisation. The wrongdoing disclosed must be in the public interest. This means it must affect others, e.g. pupils, general public.

The wrongdoing must relate to or show one of the following:

- a criminal offence
- a failure to comply with a legal obligation
- a possible miscarriage of justice

- a Health & Safety risk
- damaging the environment
- misuse of public money
- corruption or unethical conduct
- abuse of pupils, students or other users
- deliberate concealment of any of these matters
- any other substantial and relevant concern.

The concern could be about something that happened in the past, is currently happening or likely to happen in the future. Concerns or complaints that employees wish to raise formally, about their own employment, should normally be raised using the school's Grievance Procedure, unless the employee believes the concern is in the public interest. This includes for example, concerns related to working conditions, working relations, employment rights or bullying or harassment.

### **Legal protection for whistleblowers**

Whistleblowers are protected by law from being treated unfairly or losing their jobs because they 'blow the whistle'. Whistleblowers must hold a reasonable belief that the concern they are raising is in the public interest. The school's governing body will provide all reasonable protection for those who raise concerns made in the public interest. The school's governing body will be responsible for ensuring that appropriate personal support is offered both to a worker raising a concern and to any worker against whom allegations have been made under this procedure.

Although an employee has certain legal obligations of confidentiality to the school, in a limited set of circumstances, whistleblowing may override these obligations. This guidance sets out the circumstances under which these disclosures may lawfully be made.

### **Procedure for raising a whistleblowing concern (anonymously or confidentially)**

Concerns can be raised anonymously, but the school or person receiving the allegation may not be able to take it further if they haven't been provided with all the information they need.

Whistleblowers can give their name but request confidentiality and in these circumstances, every effort will be made to protect their identity.

All disclosures made under this procedure will be treated sensitively, consistently and fairly.

### **Step 1: Deciding to whom to report the concern**

Concerns can be raised verbally or in writing, and if relating to the actions of a member of staff should not be discussed with any member of staff other than the principal. If the concern is about the principal then you should contact the Chair of Directors (email contact address can be given by the principal's executive PA).

If you wish to report the matter to someone outside of the school you can contact the Director of Children's Services, Cheshire West and Cheshire or the LADO

Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have sufficient evidence or other reasonable grounds to raise them. You may wish to obtain advice from a trade union representative, the Citizen's Advice Bureau or Public Concern at Work on 020 7404 6609 and [www.pcaw.co.uk](http://www.pcaw.co.uk) .

You can be accompanied by a trade union representative or colleague to any meetings that are required.

## **Step 2**

The person with whom you have raised your concern, will decide what action is needed. They may ask you to provide further information. They will write to you within 10 days to let you know how your concern will be dealt with. The information you can expect to receive is:

- an indication of how the concern will be dealt with
- an estimate of how long it will take to provide a final response
- whether any initial enquiries have been made
- whether further investigations will take place, and if not why not
- information about support available for you.

The person with whom you have raised your concern will at the same time notify the schools' HR Adviser that a whistleblowing allegation has been made.

## **Step 3**

Initial enquiries will be made to decide whether an investigation is appropriate. An investigation may be carried out, depending on the nature of the allegations and the evidence/information presented. Full details of the investigation may be withheld from you to protect the confidentiality of other people. Information will need to be passed on to those with a legitimate need to have this information and it may be necessary for you to provide a written statement and act as a witness in any subsequent disciplinary proceedings or enquiry. This will be discussed with you first.

Where an investigation is necessary, it may take the form of one or more of the following:

- an internal investigation by the principal or a director, which may, for example, take the form of a disciplinary investigation
- an investigation by the Internal Audit Service
- a referral to the Police
- the setting up of an external independent inquiry.

## **Step 4**

You will be informed of the outcome of any investigation, in writing, and/or of any action taken, subject to the constraints of confidentiality and the law. If you do not feel your concern has been addressed adequately you may raise it with an independent body such as one of the following as appropriate:

- your trade union
- the Citizens Advice Bureau
- a relevant professional body or regulatory organisation

- a relevant voluntary organisation
- the Police
- the Local Government Ombudsman
- Equality and Human Rights Commission

If there is an issue of an exceptionally serious nature which you believe to be substantially true, then you may disclose the issue to someone other than those listed above. In determining whether it is reasonable for you to have made a disclosure the identity of the person to whom the disclosure is made will be taken into account. You have a duty to the school not to disclose confidential information. This does not prevent you from seeking independent advice at any stage or from discussing the issue with the charity Protect (previously called Public Concern at Work) on 020 3117 2520 or [www.protect-advice.org.uk](http://www.protect-advice.org.uk) in accordance with the provisions of the Public Interest Disclosure Act 1998.

### **Review and Reporting of the Procedure**

All incidents of whistleblowing are taken seriously and monitored annually by the principal and the Chair of Directors. Inspection teams also have access to such information.

**Policy Details**

**This Page Should Not Be Published**

Document Owner:	J ROSCOE
Document Input:	SLT
Document Sources:	DFE
First Created Date:	JULY 2022
Last Update Date:	AUGUST 2023
File Location of Original Policy:	SHAREPOINT

Approver	
Role	BOARD OF DIRECTORS
Last Approval Date	AUGUST 2023
Next Review Date	AUGUST 2024