



Whistleblowing Policy

2023-2024

The School's Designated Safeguarding Lead is:
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The Designated Safeguarding Governors are George Marsh and Robin Leach

Whistleblowing

Sherborne Prep School seeks to conduct its business honestly and with integrity at all times. However, we acknowledge that all organisations face the risk of their activities going wrong from time to time, or of unknowingly harbouring malpractice. We believe we have a duty to take appropriate measures to identify such situations and attempt to remedy them. By encouraging a culture of openness and accountability within the school, we believe that we can help prevent such situations occurring. We expect all staff to maintain high standards in accordance with our code of conduct and to report any wrongdoing that falls short of these fundamental principles. It is the responsibility of all employees to raise any concerns that they might have about malpractice within the school. The aim of this policy is to ensure that our employees are confident that they can raise any matters of genuine concern without fear of reprisals, in the knowledge that they will be taken seriously and that the matters will be investigated appropriately and regarded as confidential.

Legislative framework. Whistleblowing is the disclosure of information by an employee or worker which relates to some danger, fraud or other illegal or unethical conduct in the workplace. The Employment Rights Act 1996 as amended by the Public Interest Disclosure Act 1998 governs the making of disclosures concerning workplace activities and is intended to protect employees who blow the whistle on bad practice from being subjected to any detriment or unfairly dismissed as a result.

Personnel responsible for implementation of policy. The Governors have overall responsibility for Sherborne Prep School's policy on whistleblowing but have delegated day-to-day responsibility for overseeing and implementing it to the Head.

Responsibility for monitoring and reviewing the operation of the policy and any recommendations for change within the organisation resulting from investigations into complaints under the policy lies with the Head.

Who is covered by the policy? The policy applies to all individuals working for the school at every level and grade, whether they are Heads, teachers, administrative, maintenance, catering, cleaning, class assistants, or agency staff (collectively known as employees in this policy).

Disclosures covered. This policy is distinct from the School's Grievance Procedure. If a complaint relates to personal circumstances in the school, then the Grievance Procedure (or Anti-Harassment Procedure as appropriate) should be used. Concerns about malpractice within the school which

affects or could affect, for example, parents, members of the public or other members of staff should be raised using the procedure set out in this document.

The policy should be used if there is a genuine concern and that there are reasonable grounds for believing that:

1. A criminal offence has been committed, is being committed, or is likely to be committed.
2. A person has failed, is failing, or is likely to fail to comply with their legal obligations.
3. A miscarriage of justice has occurred, is occurring, or is likely to occur.
4. The health and safety of any individual has been, is being, or is likely to be endangered.
5. The environment has been, is being or is likely to be damaged.
6. Any of the above are being, or are likely to be, deliberately concealed.

In the context of Sherborne Prep School's business, particular concerns which may fall within the terms of this policy include, for example: confidentiality, the provision of negligent advice, financial fraud, harassment occurring to others and health and safety. In general, this policy covers actions or omissions you consider to be illegal, contrary to policy or established procedure or outside the scope of an individual's authority, actions which could damage Sherborne Prep School's reputation and conflicts of interest. However, only disclosures concerning those actions falling strictly within the categories in the above paragraph will be eligible for the relevant statutory protection.

Reporting. We will value any concerns reported in good faith under this procedure. If you are uncertain whether the matters concerning you are within the scope of this policy (for example, if you are suspicious but uncertain as to whether the law has been broken, or whether a person is acting outside the scope of their authority), we encourage you to report the concerns to the Head in accordance with the procedure.

Who to make a disclosure to. We recognise that those making a disclosure may not feel comfortable discussing concerns with a line manager. For the purpose of this procedure you are asked, in the first instance, to raise concerns about any form of malpractice falling within the categories outlined with the Head. The Head will report to the CEO of Sherborne Group and to the School Governors. In the absence of the Head, the Governors may nominate another officer to carry out the Head's duties under this policy. If the disclosure is extremely serious or in any way involves the Head, it should be reported directly to the Chairman of Governors.

The School will always endeavour to handle investigations promptly and fairly, but if a disclosure has been under the procedure and the complainant is unsatisfied with the investigation or its conclusion, they should write directly to the CEO and the Chair of Governors detailing their concerns.

Procedure for making a disclosure. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any workplace wrongdoing. It is therefore hoped that it will

not be necessary for employees to alert external organisations. However, in very serious circumstances, or following an internal report which has not been addressed, we recognise that it may be appropriate for you to report your concerns to an external body, such as a regulator. The government has prescribed a list of appropriate bodies for such external reporting; for example, the Environment Agency and the Health and Safety Executive. A full list is available from an independent charity called Protect, who can be contacted by telephone on 020 3117 2520 and by e-mail through their website protect-advice.org.uk. The School's procedure:

1. Raise your concerns with the Head orally or in writing, stating that you are using the Whistleblowing Policy and specify whether you wish your identity to be kept confidential. The Head will ask you to formalise your concerns in writing either before or after the first meeting. The Head will acknowledge receipt of your formal written disclosure and keep a record of further action taken.
2. The whistleblower is entitled to be accompanied by a workplace colleague or union representative at any meeting with the Head (or, if the Head is unavailable, an individual acting in the Head's place) under this procedure. The companion will be asked to respect the confidentiality of the disclosure and any subsequent investigation.
3. The School recognises that disclosures made under this policy may involve highly confidential and sensitive matters and some may prefer to make an anonymous disclosure. However, the School cannot guarantee to investigate all anonymous allegations. Proper investigations may prove impossible if the investigator cannot obtain further information from the complainant, give feedback, or ascertain whether the disclosure was made in good faith. It is preferable for whistleblowers to reveal their identity to the Head and measures can be taken to preserve confidentiality if appropriate.

Investigation of disclosure. Sherborne Prep School is committed to investigating disclosures fully, fairly, quickly and confidentially where circumstances permit. Following a submission of a formal written disclosure, the Head (or another individual acting in their place) will acknowledge receipt within five working days and make appropriate arrangements for investigation.

Length and scope. The length and scope of the investigation will depend on the subject matter of the disclosure. In most instances, the Head will carry out an initial assessment of the disclosure to determine whether there are grounds for a more detailed investigation to take place or whether the disclosure is, for example, based on erroneous information. In any event a report will be produced and copies will be provided to the Governors and, where appropriate, you will also receive a copy

Longer investigations. If a longer investigation is considered necessary, we will usually appoint an investigator or investigation team including personnel with experience of operating workplace procedures or specialist knowledge of the subject matter of the disclosure.

For example, if the disclosure concerns financial malpractice, the Assistant Bursar may be asked to investigate. Separate personnel will be asked to make a judgement on the report submitted by the investigator (or investigative team). Recommendations for change will also be invited from the investigative team to enable us to minimise the risk of the recurrence of any malpractice or impropriety which has been uncovered. The Governors will then be responsible for reviewing and implementing these recommendations.

Progress updates. So far as the Head considers it appropriate and practicable, you will be kept informed of the progress of the investigation. However, the need for confidentiality may prevent us giving you specific details of the investigation or actions taken. It is not normally appropriate to set a specific time frame for completion of investigations in advance, as the diverse nature of disclosures contemplated makes this unworkable. We will, however, aim to deal with all disclosures in a timely manner and with due regard to the rights of all individuals involved.

External investigations. The School recognises that there may be matters that cannot be dealt with internally and in respect of which external authorities will need to be notified and become involved either during or after our investigation. The School will endeavour to inform the reporter if a referral to an external authority is about to or has taken place, although it may need to make such a referral without your knowledge or consent if we consider it appropriate.

Confidentiality. Every effort will be made to keep the identity of an individual who makes a disclosure under this policy confidential, at least until any formal investigation is under way. In order not to jeopardise the investigation into the alleged malpractice, the individual will also be expected to keep the fact that they have raised a concern, the nature of the concern and the identity of those involved confidential. There may, however, be circumstances in which, because of the nature of the investigation or disclosure, it will be necessary to disclose your identity. This may occur in connection with associated disciplinary or legal investigations or proceedings. If in the School's view such circumstances exist, it will make efforts to inform the informer that their identity is likely to be disclosed. If it is necessary for the informer to participate in an investigation, the fact that they have made the original disclosure will, so far as is reasonably practicable, be kept confidential and all reasonable steps will be taken to protect them from any victimisation or detriment as a result of having made a disclosure. It is likely, however, that the whistleblower could still become apparent to third parties during the course of an investigation.

Protection and support for whistleblowers. No member of staff who raises genuinely-held concerns in good faith under this procedure will be dismissed or subjected to any detriment as a

result of such action. Detriment includes unwarranted disciplinary action and victimisation. If they believe that they are being subjected to a detriment within the workplace as a result of raising concerns under this procedure, they should inform the Head immediately. Employees who victimise or retaliate against those who have raised concerns under this policy will be subject to disciplinary action.

Malicious whistleblowing. If an investigation under this procedure concludes that a disclosure has been made maliciously, vexatious, in bad faith or with a view to personal gain, the whistleblower will be subject to disciplinary action. Those choosing to make disclosures without following this procedure or anonymously may not receive the protection outlined in this policy.

Corrective action and compliance. As part of the investigation into disclosures made under this policy, recommendations for change will be invited from the investigative team to enable Sherborne Prep School to minimise the risk of the recurrence of any malpractice or impropriety which has been uncovered.

The Head will be responsible for reviewing and implementing these recommendations in the future and for reporting on any changes required to the CEO and Governors.

Monitoring and review of policy. This policy reflects the law and Sherborne Prep School's practice. The Head, in conjunction with the Governors and CEO will be responsible for reviewing this policy from a legislative and operational perspective at least annually. The Head has responsibility for ensuring that any personnel who may be involved with administration or investigations carried out under this policy receive regular and appropriate training to assist them with these duties. Staff are invited to comment on this policy and suggest ways in which it might be improved by contacting the Head.