

MAGDALEN COLLEGE SCHOOL - BRACKLEY

WHISTLEBLOWING POLICY Non-Statutory policy (Biennial review)

Governors' Personnel Committee

GOVERNORS' PERSONNEL COMMITTEE			
Date next due for review by committee	Reviewed by committee	Any Changes YES/NO	Approved by Full Governors
	6 June 2007	Yes	
June 2009	2 June 2009	No	n/a
June 2011	28 June 2011	No	n/a
June 2013	18 June 2013	Review ongoing	
	22 October 2013	Yes (in line with being an academy)	10 December 2013
October 2015	22 Sept 2015	No	n/a
October 2017			

MAGDALEN COLLEGE SCHOOL - BRACKLEY

WHISTLEBLOWING POLICY

1. Purpose

The Governing Body of Magdalen College School, Brackley (“the School”) are committed to the highest standards of openness, probity and accountability. In line with this commitment the School encourages employees of the School (“Employees”) with serious concerns about the School’s work to come forward and voice those concerns. This also applies to concerns about the activities of staff and governors and external organisations in their dealings with the School.

2. This Policy

This Whistleblowing Policy (“the Policy”):-

provides the basis on which Employees can raise any such concerns they may have, and receive feedback on action taken;

allows Employees to take the matter further if they are dissatisfied with the School’s response, and

gives protection from reprisals or victimisation for ‘whistleblowing’ in good faith.

3. The Policy

There are existing procedures in place to enable Employees to raise grievances about their own employment. This Policy is intended to cover concerns that fall outside the scope of individual grievances.

The concern may be about something that:

is unlawful;

is against the policies of the School;

amounts to improper conduct;

seems likely to harm a member of the public or the environment; or

represents a cover-up of these sorts of issues.

4. The Safeguards

4.1 Harassment or victimisation

The Governing Body of the School recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those responsible for the malpractice. The School will not tolerate harassment or victimisation and will take all possible measures to protect Employees who raise concerns in good faith.

The School has adopted the Stephen Lawrence Inquiry definition of a racist incident for reporting and recording racial incidents, and as a starting point for investigating cases of racial harassment and discrimination in employment and service delivery. The Lawrence Inquiry definition of racism is “conduct or words or practices which disadvantage or advantage people because of their colour, culture or ethnic origin”.

4.2 Confidentiality

The School will protect the identity of Employees who raise concerns and do not want their name to be disclosed. It must be appreciated, however, that the investigation may reveal the source of the information, and statements made by the Employees who raised the issue may be required as part of the evidence.

The School encourages Employees to put their name to allegations made. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the School. In exercising this discretion, the factors to be taken account of will include:

the seriousness of the issue raised;

the credibility of the concern, and

the likelihood of confirming the allegation from attributable sources.

Untrue allegations

4.3 Untrue allegations

If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the Employee. However, if Employees make allegations that are malicious or vexatious, disciplinary action against them may be taken.

5. Raising concerns

The earlier Employees express their concern the easier it is for action to be taken.

As a first step, Employees should raise their concerns with their Headteacher. This depends, however, on the seriousness and sensitivity of the issues involved and the individual thought to be involved in the alleged malpractice. Employees who feel that they cannot approach management in the School should approach either:

the Chair of Governors of the School, or

the Employees' trade union or professional association.

Concerns should be raised in writing. This should set out the background and history of the concern, giving names, dates and places where possible, and the reason why the Employee is concerned about the situation. Employees who do not feel able to put their concerns in writing can telephone or meet those mentioned above.

6. The Response of the School

The action taken by the School will depend on the nature of the concern. The matters raised may, for example:

be investigated internally;

be referred to the Police, or

be referred to the School's External Auditor, or

form the subject of an independent inquiry.

In order to protect individuals and the School, initial enquiries will be made to decide whether an investigation is appropriate and if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or unlawful discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation.

Within two weeks of a concern being received, the Chair of Governors or appropriate School representative will write to the Employee who raised the issue:

acknowledging that the concern has been raised;

indicating how it is proposed to deal with the matter;

where possible, giving an estimate of how long it will take to provide a final response, and

telling the Employee whether further investigations will take place, and if not, why not.

The amount of contact between the officers considering the issue and the Employee who has raised the issue will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the Employee who has raised the issue.

When any meeting is arranged with the Employee, he or she will be given the right to be accompanied by a union or professional association representative or a work colleague who is not involved in the area of work to which the concern relates.

The School accepts that Employees need to be assured that the matter has been properly addressed. Thus, subject to legal or contractual constraints, Employees will receive information about the outcomes of any investigations.

7. Right of Appeal

This Policy is intended to provide Employees with an avenue to raise relevant concerns within the School. It is hoped that Employees will be satisfied with the action taken as a result. If Employees are not satisfied, and feel it is right to take the matter further, the following are possible contact points, some or all of which may be appropriate:

the School's External Auditor, MacIntyre Hudson;

relevant professional bodies or regulatory organisations;

the Police;

the charity Public Concern at Work (telephone number 020 7404 6609).

If employees do take the matter outside of the School, they must undertake not to disclose otherwise confidential information.

8. Responsible Officer

The Chair of Governors has overall responsibility for the maintenance and operation of this Policy, will maintain a record of concerns raised and the outcomes and will report as necessary to the Governing Body of the School.

9. Review of Policy

This Policy shall be subject to periodic review and may be changed from time to time.