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YORK STEINER SCHOOL

SPEAK UP (WHISTLEBLOWING) POLICY AND PROCEDURE

Approved by:	Board of Trustees	Date: May 2023
Last reviewed on:	May 2023	
Next review due by:	May 2025	

York Steiner School ('the School', 'we' or 'our') is committed to conducting its School activities with honesty and integrity, and expects everyone associated with the School to maintain high standards in accordance with this and particularly their contractual obligations and the School's policies and procedures from time to time in force.

However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

The aims of this policy are:

- To encourage all those that interact with the School to report suspected wrongdoing as soon as possible ('Reporters'), in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- To provide Reporters with guidance as to how to raise those concerns;
- To reassure Reporters that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Protect (formerly Public Concern at Work).

This policy does not form part of any School employee's contract of employment or third-party provider contract, and is not intended to have contractual effect. It is provided for guidance to all those that interact with the School and the School reserves the right to amend its content at any time. This Policy reflects the School's current practices and applies to all individuals working at all levels of the organisation, including School Managers, members of the School Management Group, officers, directors, employees, consultants, contractors, trainees, home-workers, part-time and fixed-term workers, casual and agency staff (collectively referred to as "Staff" in this policy) who are advised to familiarise themselves with its content. It also applies to any third-party providers that the School appoints, as well as any others associating with the School such as parents, carers or pupils.

What is Whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity;
- child protection and/or safeguarding concerns;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal or professional obligation or regulatory requirements;
- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures including our Code of Conduct;
- conduct likely to damage the School's reputation;
- unauthorised disclosure of confidential information;
- the deliberate concealment of any of the above matters.

A Reporter is a person who raises a genuine concern that they believe is in the public interest relating to any of the above. If the Reporter has any genuine concerns related to suspected wrongdoing or danger affecting any of the School's activities (a whistleblowing concern) they should report it under this policy.

This policy should not be used for complaints relating to Staff's own personal circumstances, such as the way they have been treated at work. In those cases, they should use the School's Grievance Policy and Procedure or Anti-harassment and Bullying Policy as appropriate.

If the Reporter is uncertain whether something is within the scope of this policy, they should seek advice from the Head Teacher or the HR/Admin Manager.

Raising a concern

The School hopes that in many cases Staff will be able to raise any concerns with their Manager, speaking to them in person or putting the matter in writing if they prefer. They may be able to agree a way of resolving the concern quickly and effectively. In some cases, they may refer the matter to the Senior Management Group and/or the Board of Trustees.

However, where the matter is more serious, or the Manager has not addressed the concern, or the member of Staff would prefer not to raise it with them for any reason, then they should contact one of the following, the:

- Head Teacher or HR/Admin Manager; or
- If a conflict of interest exists with either of the above, the Trustee with responsibility for Speak Up matters.

If an Individual is not a member of Staff, then they should contact either the Headteacher or the HR/Admin Manager in the first instance.

The School will arrange a meeting with the member of Reporter as soon as possible to discuss their concern. Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

The School will make a written summary of the concern raised and provide the Reporter with a copy as soon as practicable after the meeting. The School will also aim to give the Reporter an indication of how we propose to deal with the matter.

Confidentiality

The School hopes that Reporters will feel able to voice Speak Up concerns openly under this policy. However, if a Reporter wants to raise their concern confidentially, the School will endeavour to keep their identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that Reporter's concern to know their identity, the School will discuss this with the Reporter first.

The School does not encourage Individuals to make disclosures anonymously. Proper investigation may be more difficult or impossible if the School cannot obtain further information. It is also more difficult to establish whether any allegations are credible. Reporters who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality.

If a Reporter is in any doubt, they can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Protect (Independent whistleblowing charity)

Helpline: **0203 117 2520**

E-mail: whistle@protect-advice.org.uk

Website: www.pcaw.org.uk

Investigation and outcome

Once a Reporter has raised a concern, the School will carry out an initial assessment to determine the scope of any investigation. The School will inform the Reporter of the outcome of its assessment. The Reporter raising the concern may be required to attend additional meetings in order to provide further information.

In some cases, the School may appoint an investigator or team of investigators including members of Staff or appointed third parties with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the School to minimise the risk of future wrongdoing.

The School will aim to keep the Reporter informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the School from giving specific details of the investigation, its outcome or any disciplinary/legal action taken as a result. The Reporter is required to treat any information about the investigation as strictly confidential.

If the School concludes that a Reporter has made false allegations maliciously or with a view to personal gain, the Reporter, if a Staff member, will be subject to disciplinary action under the School's Disciplinary Policy and Procedure and if a non-Staff member, advice will be taken in relation to any appropriate action the School may take.

If you are not satisfied

Whilst the School cannot always guarantee the outcome a Reporter is seeking, the School will try to deal with the concern fairly and in an appropriate way. If a Reporter is not happy with the way in which their concern has been handled, they can raise it with the Trustee with responsibility for Speak Up matters by obtaining their details from Reception.

External disclosures

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

The law recognises that in some circumstances it may be appropriate for a Reporter to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage a Reporter to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Whistleblowing concerns usually relate to the conduct of School Staff, but they may sometimes relate to the actions of a third party, such as a service provider. In some circumstances the law will protect you if you raise the matter with the third party. However, Reporters are encouraged to report such concerns internally first. A Reporter should contact one of the those set out above for guidance.

Protection and support for Reporters

It is understandable that Reporters are sometimes worried about possible repercussions. The School aims to encourage openness and will support those who raise genuine concerns under this policy, even if they turn out to be mistaken.

A Reporter must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, contract termination, threats or other unfavourable treatment connected with raising a concern. If a Reporter believes that they have suffered any such treatment, they should inform the Head Teacher or the HR/Admin Manager immediately (or if there is a conflict of interest, the Trustee with responsibility for Speak Up matters). If the matter is not remedied appropriately and the Reporter is a member of Staff, they should raise it formally using the School's Grievance Policy and Procedure.

Staff must not threaten or retaliate against Reporters in any way. Anyone involved in such conduct will be subject to disciplinary action.

All of us are responsible for the success of this policy and, in particular, Staff should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment

on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the School Business Manager in the first instance.