

RAISING CONCERNS AT WORK (WHISTLEBLOWING) POLICY

Policy Owner PPS Director of Operations and Finance	Applies to Prior Park Schools (Trust Wide)	Superseded documents PPS Whistleblowing Policy v1
Associated documents Complaints Policy Child Protection (part of Safeguarding) Policy Grievance Policy Disciplinary Policy	Review frequency Every year (unless the legislation/regulations update before this time) Implementation date 1 February 2021	Legal Framework KCSIE Public Interest Disclosure Act 1998 Employment Rights Act 1996

1. Introduction

Prior Park Schools (PPS) comprises three schools. Two of those schools, Prior Park College (PPC) and The Paragon School (TP) are incorporated in England as Prior Park Educational Trust Ltd. The third school, Prior Park School Gibraltar (PPSG), is incorporated in Gibraltar as Prior Park School Ltd. Both are companies limited by guarantee and registered charities.

2. Policy Statement

Prior Park Schools (PPS) is committed to creating a culture of safety and raising concerns, with an emphasis on openness and accountability. This is essential to conducting business with honesty and integrity, and we expect all employee to maintain high standards. However, all organisations face the risk of malpractice, wrongdoing or of unknowingly permitting illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur. All PPS Employees should be aware, through training, of the importance of preventing and eliminating wrongdoing or dangers at work and know what to do to raise concerns confidentially.

This Policy is intended to help employees raise concerns they may have within the School. This Policy sets out the internal processes by which employees concerns will be managed by the school, and hopefully, employees will be satisfied with any action taken. If an employee is not satisfied, they should refer to Section 6 for other organisations they can contact.

“Whistleblowing” is the disclosure of information where an employee reasonably believes (and it is in the public interest) that malpractice or wrongdoing is being, has been, or is likely to be, committed. These are called “qualifying disclosures”. The law provides protection for workers who raise legitimate concerns about specified matters such as:

- harm or risk of harm to children
- possible fraud, financial irregularities, corruption or bribery
- malpractice
- danger to health and safety
- criminal offences or breach of any legal obligations
- miscarriages of justice
- damage to the environment
- inappropriate behaviour or acting contrary to the employee code of conduct
- dishonesty, unethical conduct
- the deliberate concealing of information about any of the above.

The aims of this Policy are:

1. To encourage employees to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
2. To provide employees with guidance as to how to raise those concerns internally and, if necessary, outside PPS.
3. To reassure employees that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
4. To instil a culture of valuing employees and of reflective practice.

This policy applies to all individuals working at all levels of PPS, including senior staff, employees, Governors, contractors, trainees, part-time, zero hours and fixed-term workers, casual and agency staff and volunteers. For the purposes of this Policy these will all come under the reference term ‘Employee(s)’. This policy applies to the whole Trust including the Early Years

Foundation Stage at the Paragon School. Training and support will be provided for all employee and governors on the PPS Raising a Concern at Work “Whistleblowing” Policy.

This policy does not form part of any employee's contract of employment and PPS may amend it at any time.

3. Principles

This policy is intended to demonstrate that PPS:

- will not tolerate malpractice or wrongdoing and will investigate any matter raised under this procedure promptly and thoroughly
- respects the confidentiality of an employee raising concerns and will maintain their confidentiality so far as is consistent with progressing any action effectively
- will protect from any detrimental treatment any individual who raised a genuine concern under this procedure
- will provide the opportunity to raise concerns outside the normal line management structure, where this is appropriate
- will provide a clear and simple procedure for raising concerns, which is accessible to all employees
- will invoke the PPS Disciplinary Policy in the case of false, malicious, vexatious or frivolous allegations.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the PPS Grievance procedure.

This Raising a Concern at Work “Whistleblowing” Policy should be used by employees to express a legitimate concern regarding suspected malpractice or wrongdoing within any of the PPS schools.

4. Confidentiality

Employees who wish to raise a concern under this Policy are entitled to have the matter treated confidentially and their name will not be disclosed to the alleged perpetrator of malpractice without their prior approval. It may be appropriate to preserve confidentiality that concerns are raised orally rather than in writing, although employees are encouraged to express their concern in writing wherever possible. If there is evidence of criminal activity, then the Police will be informed in all cases.

5. Raising a Concern at Work “Whistleblowing” Procedure

An employee will be at liberty to express their concern to the Head, Deputy Head, Prior Park Schools Director of Operations, a member of the HR Department or the Finance Department and/or a Governor.

If the concern is relating to any child or is deemed to be a safeguarding concern, they should contact the DSL or DDSL(s) in line with our Safeguarding and Child Protection Policy and Procedure.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. The employee making the allegation will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the result.

An employee who is not satisfied that their concern is being properly dealt with has the right to raise it in confidence with a member of the Governing Body or to raise it externally.

6. External Whistleblowing Procedures

Where all internal procedures have been exhausted, or if the employee so wishes, the employee have a right to access an external person/body. This may include (depending on the subject matter of the disclosure) HMRC, Department for Education, Department of Education (PPSG), COBIS (PPSG), ISI, the Health and Safety Executive and/or the Local Authority Designated Officer (where the disclosure relates to a child protection issue).

Under the Public Interest Disclosure Act 1998, there are circumstances where an employee may be entitled to raise a concern directly with the appropriate external body. This would be where the employee reasonably believes:

- that exceptionally serious circumstances justify it
- that PPS would conceal or destroy the relevant evidence
- where they believe they would be victimised by PPS
- where the Secretary of State has ordered it, or the law requires it.

7. Malicious Accusations

If it is concluded that false allegations were made maliciously or with a view to personal gain, the employee will be subject to disciplinary action. (Please see PPS Disciplinary Policy)

8. Protection from Reprisal or Victimisation

Any individual who raises concern under this policy, in line with the Public Interest Disclosure Act 1998, will be protected from any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern, including detrimental treatment by other employees.

9. Useful Numbers

Bath & North East Somerset Community Safety and Safeguarding Partnership (BCSSP)
<https://www.bathandnortheast Somersetccg.nhs.uk/documents/policies-and-governance/the-new-safeguarding-arrangements-for-partners-in-bath-and-north-east-somerset>

Gibraltar Child Protection Procedures - Gibraltar Child Protection Committee
<https://www.gibraltar.gov.gi/health/care-agency/child-protection-team>

Public Concern at Work: 020 3117 2520 <https://www.pcaw.org.uk/>

NSPCC: 0800 028 0285 or help@nspcc.org.uk