

WHISTLEBLOWING POLICY

2021/2022



ROCHESTER
INDEPENDENT COLLEGE

This policy has been drawn up to take into account the Public Interest Disclosure Act 1998 – otherwise known as the ‘Whistleblowing Act’ to provide employees with potential protection from victimisation and dismissal for making a qualifying disclosure.

Please also see the College’s **Low Level Concern Policy** which outlines processes for concerns which do not meet the threshold for an allegation.

Serious concerns include

- conduct which is an offence or a breach of law
- conduct which may be a breach of the staff code of conduct
- conduct which may be a safeguarding concern (also see safeguarding policy)
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public or employees
- damage to the environment
- unauthorised use of public funds
- possible fraud and corruption
- other unethical conduct

The College is committed to the highest possible standards of openness; we expect employees who have serious concerns about any aspect of College life to come forward and share those concerns. Members of staff may feel that there is something wrong within the College but may not feel able to speak up for fear of being disloyal to colleagues or the College. They may also fear victimisation or harassment and choose to ignore their concern. This document makes it clear that individuals can follow the procedure without fear of reprisals, encouraging concerns to be raised within the College to maintain public confidence, rather than overlooking the concern or disclosing the incident outside of College.

Scope

This policy and procedure applies to all employees and contractors working for the College. It is **not** to be used by individuals who have a complaint about their personal position. The College’s **Grievance Procedure** should be used under those circumstances.

This policy and procedure also includes those who have concerns over Child Protection issues, including poor or unsafe Safeguarding practices at the College. Anyone who has such concerns should also refer to the **Safeguarding Policy**.

Objectives

- ensure that serious concerns and malpractice are identified, investigated and corrected
- encourage individuals to feel confident in raising serious concerns
- provide channels for concerns to be raised and receive feedback on action taken
- ensure individuals receive a response and they are aware of how to pursue them if not satisfied
- reassure members of staff that they will be protected from possible reprisals if a disclosure is made in good faith
- lessen difficulties experienced as a result of raising a concern
- ensure that individuals against which malicious allegations have been made are supported

How to raise a concern

Any employee who considers that malpractice exists should bring their concerns to the attention of the Principal, Alistair Brownlow, either verbally or in writing and the matter will be treated as confidential (unless the matter is concerning a pupil's welfare, in which case the pupil's welfare will be priority). If the concern is about the Principal then this should be brought to the attention of the Chair of Governors, Aatif Hasan, who will investigate these concerns. If the matter is raised in writing then it should include the background and history of the concern and the reason why they are concerned about the issue.

Individuals will need to show to the person contacted that there are reasonable grounds for their concern, although they will not be expected to prove beyond doubt the truth of their claim.

In accordance with the College's Safeguarding Policy, any safeguarding concern involving a member of staff should be reported to the Principal. If the safeguarding concern relates to the Principal then this should be reported to the Safeguarding Governor, Tim Fish, and the Principal should not be informed. If the safeguarding concern relates to a Governor then this should be reported to the Principal.

How the College will respond

An initial assessment will be carried out by the Principal or relevant Governor if the concern is relating to the Principal, to establish whether the concerns may be resolved without the need for an investigation; require urgent action before any investigation; fall within the scope of specific procedures and so be dealt with under that specific format eg Child Protection; or require an investigation and if so, what form it should take.

Acknowledge the concern to whoever raised it within ten working days, indicating how the matter will be dealt with, how long approximately it will take to provide a final response, state whether any initial enquiries have been carried out, and advise whether further investigations will take place and if not, why not.

Inform, where appropriate, the person against whom allegations have been made of the nature of the issue and how the matter is likely to be dealt with. Should a safeguarding concern be raised about a member of staff or the Principal, then that person should not be informed about them.

Safeguards

Harassment, victimisation or discrimination or disadvantage of any individual will not be tolerated when they are acting in good faith and the College will take action to protect such individuals. Nevertheless, if investigations make clear that the individual who disclosed the information has acted maliciously or for personal gain, that person may be subject to disciplinary action. The College will also do what it can to protect a person's identity when they raise a concern and do not want their name disclosed. However, it must be taken into account that after any investigation has begun the source of the information may be revealed or a signed statement may be required as part of the evidence, which may be needed in a disciplinary hearing or a Court of Law.

How the matter can be taken further

This policy is intended to provide members of staff with a channel within the College to raise concerns. If they feel it is right to take the matter outside the College, the following are possible contact points:

- Teacher Professional Association
- Trade Union
- Public Concern at Work: 0207 404 6609
- Health and Safety Executive –Prescribed Regulator
- Financial Services Association – Prescribed Regulator
- Environment Agency – Prescribed Regulator
- Audit Commission: 0207 828 1212
- Police
- District Auditor
- Child Protection concerns – see the college safeguarding policy for external contacts

We do not consider it appropriate to take matters to the media.

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August 2017	KF & ME	AB	August 2017
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