LOCHINVER HOUSE

Whistleblowing Policy

This policy and procedure has been adopted by the School to enable and encourage members of staff to raise concerns internally and in a confidential manner about the safeguarding of pupils' welfare, fraud, malpractice, health and safety, criminal offences, miscarriage of justice, failure to comply with legal obligations, inappropriate behaviour or unethical conduct. It is not to be used to question financial or business decisions or opinions taken by the School and should not be used to raise any other concerns that have already been addressed through the Discipline, Capability and Grievance Policy, Redundancy Policy, Pay Policy or Complaints Policy and Procedure. Individuals who disclose any concerns outside of this policy, as set out below, may not be protected under the Whistleblowing Act. Concerns about pupils' welfare should initially be raised through the Child Protection and Safeguarding Policy and Procedure (incorporating Staff Behaviour and Code of Conduct) or Low-Level Concerns Policy and may subsequently be raised under this policy if members of staff believe that their concerns have not been adequately addressed. Safeguarding concerns relating to a child should always be reported immediately in accordance with the Child Protection and Safeguarding Policy and Procedure to the Designated Safeguarding Lead (DSL) or Deputy DSL. Concerns regarding safeguarding practice, safeguarding culture, leadership decision-making or the handling of safeguarding concerns may be reported under this Whistleblowing Policy.

The School's policy on whistleblowing is intended to demonstrate that the school:

- Has safeguarding children at the centre of its ethos.
- Has a culture of safety for raising concerns, valuing staff and of reflective practice.
- Will not tolerate malpractice.
- Will not tolerate retaliation, victimisation, harassment, discrimination or any detriment against a person who raises a genuine concern, even where the concern is ultimately not substantiated.
- Respects the confidentiality of employees raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively.
- Will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate.
- Deliberately false, malicious or vexatious allegations may result in disciplinary action. No action will be taken against an individual who raises a concern honestly and reasonably, even if the concern is not subsequently upheld.
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- Will provide a clear and simple procedure for raising concerns, which is accessible to all employees.

Qualifying Disclosures

Qualifying disclosures are disclosures of information where the employee reasonably believes (and it is in the public interest) that one or more of the following matters is either happening, has taken place, or is likely to happen in the future:

- A criminal offence
- The breach of a legal obligation

- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- Abuse of power
- Discrimination in the provision of education
- Serious misconduct, gross mismanagement, maladministration or unethical conduct affecting pupils, staff, the public or the School's compliance with legal obligations.
- Deliberate attempt to conceal any of the above
- For the avoidance of doubt, safeguarding failures, actions that place children at risk of harm, or failures to follow statutory safeguarding duties may constitute qualifying disclosures.

Procedure

This procedure is separate from the School's adopted procedures regarding grievances. Concerns relating solely to an individual's employment, treatment at work or contractual matters should normally be dealt with under the Grievance Policy. Concerns raised in the public interest, including safeguarding failures, legal non-compliance, malpractice or misconduct, should be raised under this Whistleblowing Policy.This procedure is to enable employees to express a legitimate concern regarding suspected malpractice within the school, whether related to the safeguarding and welfare of pupils, the conduct of staff or other matters, during the course of their employment, these concerns should be in the public's interest. The individual must reasonably believe that disclosure is in the public interest. This will normally mean that the concern affects, or has the potential to affect, pupils, staff, parents or the wider public.
.This Policy also covers those providing a service to the School or where an organisation is working in partnership with the School.

Malpractice is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of conduct, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment.

Confidentiality

Anonymous concerns may be more difficult to investigate; however, they will be considered and investigated as far as reasonably possible.

The School will protect confidentiality wherever possible. Identity will only be disclosed where necessary, lawful and proportionate to enable a fair and effective investigation. In certain circumstances, identities may have to be revealed to the person complained against and the complainant may be asked to provide written evidence in support of the complaint. If a person's identity is to be disclosed, they will be informed before the disclosure and given reasons why this is necessary.

Any Whistleblowing concerns should be reported to the Head. If the concern is about the Head, it should be reported to the Chair of Governors. The Chair of Governors can be contacted on chairofgovernors@lochinverhouse.com.

If the concern relates to the Chair of Governors, it should be reported to the Vice Chair of Governors or another nominated Governor.

The staff member making the disclosure should not:

- investigate the matter themselves
- inform those they suspect to be involved
- accuse or approach individuals

Staff should normally use the reporting routes set out in this policy. Where a member of staff reasonably believes internal reporting is inappropriate, unsafe, or has failed to address concerns adequately, the external reporting routes identified within this policy may be used

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The member of staff making the disclosure will receive a written acknowledgement of their concern within one week of its receipt.

The Head (or Chair of Governors, should the concern be regarding the Head) will appoint an appropriate person to investigate the concern. This may include the Head, Chair of Governors, DSL, external investigator, HR adviser or another suitably qualified individual.

The whistle blower will be informed of:

- the proposed action to be taken, normally within two weeks of the original report
- the progress of the investigation
- the outcome of the investigation

While the School aims to meet these timescales, complex investigations may require longer periods. The whistleblower will be kept informed of progress wherever possible

Relevant external reporting

Staff are strongly encouraged to seek advice before reporting a concern to anyone external. In most cases it should not be necessary to alert anyone external but before doing so, as well as considering the internal help and support available, external advice should be sought from:

- General guidance can be found at https://www.gov.uk/whistleblowing
- Protect: if there are any concerns about disclosing a suspected wrongdoing, the independent whistleblowing charity, Protect, operates a confidential helpline. Staff can use the webform email for advice to https://protect.tfaforms.net/f/Contact-the-Advice-Line, or call on 020 3117 2520.

- The NSPCC is a prescribed whistleblowing body for matters relating to child welfare and protection.
- The NSPCC whistleblowing helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way an issue is being handled by the School. Staff can call 0800 028 0285. The line is available from 8.00am to 8.00pm, Monday to Friday and from 9.00am to 6.00pm on a Saturday and Sunday. Staff can also email help@nspcc.org.uk at any time.
- Other agencies include:
  - Local Authority's Designated Officer (Safeguarding)
  - ISI (education standards and inspection concerns)
  - Health and Safety Executive (Health and Safety)
  - Information Commissioner's Office (Data Protection)
  - Charity Commission (where applicable),
  - Police (criminal matters)

and the Department for Education (DfE) (Serious Governance concerns)

Staff should not approach a commercial body or the media with details of the suspected wrongdoing. Approaching such a body and/or where a concern is disclosed in a malicious manner or for personal gain, this may make the disclosure unreasonable, and the protection given by this procedure may be lost. Additionally, the School may consider this to be gross misconduct, and disciplinary action may be taken. Staff are strongly encouraged to use internal procedures and prescribed external bodies before considering wider disclosure. Independent advice should be sought from Protect before any wider disclosure is made.

Reviewed By	Head
Approval Body/ Committee	Full Governing Body
Last Review	Autumn 2026
Next Review	Autumn 2027
Policy Linked To	Child Protection and Safeguarding Policy and Procedure (incorporating Staff Behaviour and Code of Conduct), Data Protection Policy, Equal Opportunities Policy, Low-Level Concerns Policy, Privacy Notice, Staff Induction and Probation Policy and Procedure.

Any data held in relation to the content of this policy will be managed in accordance with our Data Protection Policy and Privacy Notice.