



International  
School  
Olomouc

## SAFEGUARDING Whistle-Blowing Policy



(Směrnice upravující ochranu oznamovatelů protiprávního jednání)





## Whistle-Blowing Policy

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<b>School:</b> <i>Česko Britská Mezinárodní škola a Mateřská škola s.r.o., Sokolovská 76/6, 779 00 Olomouc</i>	
<b>Policy Leader:</b> <b>Mgr. Eva Pluskalová</b>	<b>Date &amp; Signature:</b>  15.8.2018
<b>Checked &amp; authorised by:</b> <b>Petr Pospíšil, M.A. (Dunelm)</b>	<b>Date &amp; Signature:</b>  21.8.2018
<b>Scope:</b> This policy applies to the whole school community.	
<b>Effective from:</b> September 2018	<b>Effective to:</b> June 2021

### **Whistle-blowing policy:**

Date Due for review: June – August 2021.

Policy is reviewed every three years.

#### Distribution list:

1. Directors
2. Head of Primary/Preschool
3. Teaching staff
4. Support staff
5. Parents



## What is a whistle-blower?

A whistle-blower is a member of staff who reports certain types of wrongdoing. This will usually be something which has been seen in school – though not always.

The disclosure of wrongdoing must be in the public interest. This means it must affect others, e.g. the general public.

In the UK as a whistle-blower you are protected by law. In the Czech Republic there is currently no specific legislation in force, however, wider legal framework applies, namely, the employment law. Although we obviously hope that it will never be necessary, should you ever feel you are obliged to “blow the whistle” you will not – indeed be [treated unfairly or lose your job](#) (see link) because you have exercised your rights under this legislation.

You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future.

## Complaints that count as whistle-blowing

In the UK staff are protected by law if they report any of the following:

- a criminal offence, e.g. fraud
- someone’s health and safety in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the school is breaking the law,
- you believe someone is covering up wrongdoing
- serious financial misconduct

## Complaints that don’t count as whistle-blowing

Personal grievances (e.g. bullying, harassment, discrimination) are not covered by whistle-blowing law, unless your particular case is in the public interest.

You should report these under the school’s Grievance Procedure (see staff handbook).

## Raising a whistle-blowing concern

We would hope that in most cases staff will be able to raise any concerns with a senior member of staff, e.g. Deputy Head of Primary or Secondary by either speaking to him or her in person or putting the matter in writing if they prefer. They may be able to agree a way of resolving a concern quickly and effectively.

However, where the matter is more serious, or you feel that your informal attempt has not been effective, you should contact the Director.

Following a notification of a concern, the Director will arrange a meeting with the whistle-blower as soon as practicable to discuss the concern. Sufficient details will be recorded at this stage to enable the matter to be thoroughly investigated. As a minimum the Director will record the name of the employee but also indicate whether the individual wishes his or her identity to remain confidential, if possible, and the nature of the concern. In some cases it will not be possible to maintain confidentiality and this will be explained to the member of staff. In such instances the member of staff will have the choice of either withdrawing or agreeing to his/her identity becoming known to enable the concern to be effectively dealt with.

Staff may bring a colleague to any meetings under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

The school will take notes and produce a written summary of the concern raised and provide the whistle-blower with a copy as soon as practicable after the meeting. The Director will then follow the agreed procedure below.

### Confidentiality

We hope that staff will feel able to voice whistle-blowing concerns openly under this policy. However, if a member of staff wants to raise his or her concern confidentially, the School will endeavour to keep his or her 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 member of staff's concern to know the whistle-blower's identity, the school will discuss this with the member of staff first.

The school cannot accept disclosures made 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 and have been made in good faith. Whistle-blowers 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.

### Concerns about the Head of School/Director

If a concern surrounding a member of the senior leadership team then this will be treated in the same way as any other concern. The concern will be raised with the Head of School or the Deputy Head of School who will follow the agreed whistle blowing procedure.

If the concern is against the Head of School or against the Directors then clearly this process cannot be followed. In such circumstances, the concern will be taken directly to relevant external authorities such as the Independent School Inspectorate. Further steps must only be taken following the advice of the relevant authorities.

## External disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing within school. In most cases staff should not find it necessary to alert anyone externally. We strongly encourage staff to seek advice before reporting a concern to anyone external. The independent whistle-blowing charity, Public Concern at Work, operates a confidential helpline or the Council of British International Schools may serve as advisory body.

Whistle-blowing 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. The law allows staff to raise a concern in good faith with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, staff are encouraged to report such concerns internally first.

## Investigation and outcome

Once a member of staff has raised a concern, the school will carry out an initial assessment to determine the scope of any investigation. The matter may need:

- need inquiry internally in the school
- need to be passed to the Police if it relates to alleged criminal activity
- need to be passed to the person in the local financial authorities
- need to be referred to the DSL or OSPOD

The school will aim to keep the member of staff 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 or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

If the school concludes that a whistle-blower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistle-blower will be subject to disciplinary action.

There are no rights of appeal against any decisions taken under this procedure.

## Timescale for Response

The Director responsible for whistleblowing allegations will normally provide a written response to you **within 5 working days** (except in the case of anonymous allegations):

- acknowledging that the concern has been received
- indicating how it is proposed to deal with the matter
- giving an estimate of how long it will take to provide a final response
- advising whether any enquiries have been made
- advising whether further enquiries will take place



- informing you of support available whilst matters are looked into, and maintaining confidentiality wherever possible, but also explaining that it may not be possible that you can remain anonymous.

## The Inquiry Process

The Director will:

- Look into the allegation – seeking evidence and interviewing witnesses as necessary.
- Maintain confidentiality wherever possible but will be mindful that there is no guarantee that the whistle blower can remain anonymous.
- If appropriate, for concerns of criminal behaviour refer the matter to the Police.
- If appropriate, for concerns of child protection, refer the matter to DSL or OSPOD. The whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

If the Director needs to talk to you, you are permitted to be accompanied by a fellow member of staff not involved in the area of work to which the concern relates.

The target is to complete the inquiry within **10–15 working days** from the date of the initial written response. If the enquiry extends beyond the timescales outlined for specific reasons all individuals concerned will be notified of this in writing with an indication when the inquiry will be completed. Following completion of the inquiry process the Director will make a written report. The report will not contain the whistle blower's name unless you have expressly stated that you wish to be named.

## Taking the Matter Further

If no action is to be taken and/or you are not satisfied with the way the matter has been dealt with, you can make a complaint under the governing body's complaints procedure or raise your concerns with other organisations as listed below:

- Independent School Inspectorate
- Council of British International Schools
- Czech Ministry of Education
- Czech Schools Inspection
- OSPOD

## Protection and support for whistle-blowers

It is understandable that whistle-blowers are sometimes worried about possible repercussions. The school will seek to follow its core value of transparency in all it does and therefore will encourage



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openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

As described above, staff will not and cannot be treated unfairly as a result of having raised a concern under this Policy.



## APPENDIX I – Guidance for staff

This guidance should be followed if you suspect any conduct or practice in any area of the school's activities which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice.

### **Do**

- Make an immediate note of your concerns.
- Note all relevant details such as what was said in telephone or other conversations, the date, time and the names of any parties involved; or any action observed.
- Convey your suspicions to someone with the appropriate authority and experience e.g. your line manager, a member of the senior management team
- Deal with the matter promptly.
- Keep a copy of all notes/details etc.
- Ask for a copy of your school's whistleblowing policy if this has not routinely been made available to all school staff.

### **DO NOT**

- Do nothing.
- Be afraid of raising your concerns. You must not suffer any recrimination as a result of voicing a reasonably held suspicion. The Director will treat any matter you raise sensitively and confidentially wherever possible (if you feel that the matter raised is not being treated sensitively and seriously then seek professional or alternative advice).
- Approach or accuse any individuals directly.
- Try to investigate the matter yourself. There are rules surrounding the gathering of evidence for use in criminal cases and in relation to child protection cases. Any attempt to gather evidence by people who are unfamiliar with these rules may destroy the case.
- Convey your suspicions to anyone other than those with the proper authority.