



Francis Holland Schools

## Whistleblowing Policy

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**This policy applies to:**

**Francis Holland Regents Park   Francis Holland Sloane Square   Francis Holland Prep**

Where there are differences between the schools these have been clearly highlighted.

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## **1 Related Information**

### **1.1 Terminology**

**COO**, where not explicitly defined, means the Chief Operating Officer of Francis Holland Schools Trust.

**Head**, where not explicitly defined, means either the Head of Regent's Park, the Head of Sloane Square or the Head of the Prep.

**Parents** includes one or both parents, a legal guardian, or education guardian.

**Trust** means The Francis Holland (Church of England) Schools Trust (the **Trust**) which owns and operates Francis Holland School Sloane Square, Francis Holland School Regent's Park and Francis Holland Prep, as now or in the future constituted (and any successor).

**School** means Francis Holland School Sloane Square, Francis Holland School Regent's Park and Francis Holland Prep as now or in the future constituted (and any successor).

**Pupil** or **Pupils** means any student or Pupils in the school at any age.

**Council** the collective term for the Governors of the Trust

**Chair of Governors** the person with overall responsibility of the Council

## **2 Introduction**

Speaking up about any concerns you have at work is important. The Trust is committed to conducting its business with honesty and integrity, to ensure:

- We continue to deliver high standards of education.
- We discharge our responsibility to safeguarding children.
- We protect the welfare and working environment of our staff.

We expect all staff to maintain high standards in accordance with our Code of Conduct for Staff.

You may feel worried about raising concerns, though we encourage everyone to have the confidence to raise these when they are observed.

Those who raise genuine concerns can do so without fear of losing their job or reprisal. We encourage and enable concerns to be raised rather than overlooking a problem. The Trust will not tolerate any form of harassment, bullying, or victimisation of anyone raising a concern. Any such behaviour will be deemed a breach of our code of conduct and values.

The Whistleblowing policy is about the proper ways someone should raise concerns about suspected wrongdoing, malpractice or dangers at work and sets out how we deal with them.

## **3 Aims of this Policy**

The aims of this Policy are to:

- Encourage those engaged with the Trust, as detailed below, 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
- Support a culture of openness and ethical behaviour
- Provide for matters to be dealt with quickly, in a fair and impartial manner
- Remind staff of their duty of confidentiality, which is implied by law in every contract of employment and prohibits staff from publicly disclosing employers' confidential information

- Provide guidance as to how to raise those concerns
- Reassure those who do raise concerns that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy covers all employees, officers, Governors, consultants, contractors, volunteers, work placement students, casual workers and agency workers.

## **4 Definitions**

### **4.1 Whistleblowing**

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

- Criminal activity
- Safeguarding concerns
- Failure to comply with any legal or professional obligation or regulatory requirements
- miscarriages of justice
- danger to health and safety
- bribery
- financial fraud or mismanagement
- other unlawful or unethical conduct in the workplace
- the deliberate concealment of any of the above matters

Those with concerns can use this policy if they have a reasonable belief that the information disclosed is evidence of wrongdoing and that such a disclosure is in the public interest. The policy is not intended to be used for complaints about a colleague or if you have a complaint relating to your personal circumstances in the workplace. If this is the case, these concerns can be raised under the Grievance procedure.

Nothing within this policy is intended to prevent staff from complying with their statutory responsibility in accordance with Keeping Children Safe in Education, applicable at the time, and the Safeguarding and Child Protection Policy.

### **4.2 Whistleblower**

A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities and such disclosure is in the public interest (a whistleblowing concern) you should report it under this policy.

## **5 Safeguarding**

### **5.1 Policy on Safeguarding**

If you have a concern about a pupil's welfare, action should be taken immediately. You should report the concern to the Designated Safeguarding Lead or the Deputy Designated Safeguarding Lead. See the Trust policy on Safeguarding and Child Protection for full information about what to do if you have a concern about a pupil, including what to do if the Designated Safeguarding Lead is not available.

### **5.2 Safeguarding – member of staff**

You should raise any concerns about another staff member with the Head. If the concern is about the Head, you should raise your concern with the Chair of Governors (without first notifying the Head) in accordance with the procedures in the Trust's policy on Safeguarding and Child Protection.

### **5.3 Whistleblowing Policy**

You should follow this procedure to raise concerns about poor or unsafe practices at the Trust or potential failures by the Trust or staff to properly fulfil its safeguarding responsibilities.

### **5.4 The Modern Slavery helpline**

The Trust is committed to the prevention of Modern Slavery, which is the human trafficking and/or slavery for the gain of the Trust. If you have any queries relating to Modern Slavery, please contact the Chief Operating Officer. Identified instances of modern slavery should be immediately notified to the Police. If you think you have identified an instance of modern slavery, or if you consider that you may be a victim of modern slavery you may contact the Modern Slavery helpline on 0800 0121 700.

## **6 Confidentiality and Anonymity**

The Trust hopes that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

We do not encourage anyone to make a disclosure anonymously. A proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible.

## **7 Procedures**

You should disclose the suspected wrongdoing first to your Head of Department or line manager. In the event that your Head of Department or line manager is involved in the suspected wrongdoing, or if the matter is of such a serious and sensitive issue, you may approach another appropriate contact.

The Trust have appointed a group of individuals to whom you contact to raise concerns under this policy. Within this policy (unless otherwise stated) the appointed individuals will be:

- Senior Deputy Head (RP); Senior Deputy Head Pastoral (SSq); Senior Deputy Head (Prep)
- Director of HR

Should it be alleged that one of the appropriate individuals is alleged of wrongdoing, the Head or Chief Operating Officer should be contacted.

If the concern is about the Head, Chief Operating Officer or a Governor, then the complaint should be raised with the Chair of Governors via the Clerk to the Governors.

If the concern is about the Chair of Governors, then the complaint should be raised with the Deputy Chair.

Concerns are best raised in writing. The staff member should set out the background and the history of the concerns, giving the names and places where possible and the reasons they are raising the concerns. If the staff member does not feel able to raise the concerns in writing, they should telephone or meet the appropriate contact above. It is however essential that the staff member raising the concerns is doing so under the whistleblowing policy.

If the nominated person with whom the concern is raised believes it is appropriate to use the Whistleblowing Policy, the contact will arrange a proportionate investigation, using someone who is suitably experienced.

Where it is considered the Whistleblowing policy is not appropriate, the nominated contact will discuss and explain this to the staff member who raised the concern and discuss next steps e.g., use of different policy or procedure.

The investigator appointed to investigate the matter under the whistleblowing policy will:

- Meet with the staff member who raised the concern (the 'whistleblower'), usually within seven working days, or earlier if there is an immediate danger.
- Obtain as much information as possible from the whistleblower about the concern and the grounds for the belief in the wrongdoing.
- Consult with the whistleblower about further steps which could be taken.
- On occasion either the nominated contact or the investigator, may decide the concern raised would be better looked at under another process.

Under this policy the staff member who raises the concern may bring with them a work colleague, the work colleague must respect the confidentiality of the concern and is not permitted to answer or respond on behalf of the person who has raised the concern. Where the whistleblower is not an employee of the Trust, they may bring with them a companion as agreed with the investigator, a legal representative or registered solicitor is not permitted.

Where a companion is not available at the agreed time, the Trust will be permitted to continue with the meeting to not delay the process.

The investigator may need to conduct more than one meeting with the person who raised the concern. At each investigation meeting, the whistleblower will continue to be able to be accompanied by a companion, as above.

Where practical, within ten working days of the final investigation interview with the whistleblower, the investigator will recommend one of more of the following:

- An agreed outcome of action is to be taken by the Trust where it is possible to resolve the concern simply, or there is a simple explanation that can be provided
- The matter requires further investigation internally by the Trust
- The matter be investigated by an external authority as appointed by the Trust
- The matter be reported to an external body as detailed in point 9 below
- That no further action is required/ taken by the Trust

The grounds in which no further action is taken include:

- The investigator is satisfied, that on balance, there is no evidence of wrongdoing
- The matter is already (or has been) the subject of proceedings under one or more the Trusts other policies or procedures
- The matter concerned is already subject to legal proceedings, or has already been referred to the Police, external auditors or other public authority.

Due to the confidentiality of the matters being considered there is no guarantee that the whistleblower will receive any information or update as to the decision made by the investigator. Should the whistleblower have any concerns about the way their concern has been considered they should contact the Chair of Governors.

## **8 Relevant external reporting**

This policy aims to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases we hope that those raising concerns should find that it is not necessary to alert anyone external to the Trust. The law recognises that in some circumstances it

may be appropriate to report their concerns to a 'prescribed person' which is a defined list of external bodies. It will rarely, if ever, be appropriate to alert the media. Those raising a concern are strongly encouraged to seek advice before reporting matters externally. If the whistleblower is not satisfied with the Trust's response, the nominated contact dealing with the concern will notify the staff member with whom they may raise the matter with externally, including:

- the Local Authority Designated Officer.
- Children's Social Care;
- the NSPCC;
- the Health and Safety Executive;
- the Environment Agency;
- the Information Commissioner;
- the Department for Education;
- the Department for Business, Energy and Industrial Strategy;
- the Police;
- the Charity Commissioner;
- the Independent Schools Inspectorate;
- the Office for Standards in Education, Children's Services and Skills (Ofsted);
- the Channel Police Practitioner
- the Office of Qualifications and Examinations Regulation (Ofqual)

## **9 Support**

Staff are strongly encouraged to seek advice before reporting a concern externally. It is recognised that raising a concern can be a difficult and stressful time for a staff member. Staff can access support through:

- **The Trust's Employee Assistant** provider on 0800 917 9330 or [wecare-cl.com](http://wecare-cl.com).

Staff and those not employed by the Trust who raise a concern may also seek support through the following organisations:

- **Protect** the independent whistleblowing charity, who operate a confidential helpline. Staff can call 020 3117 2520 for advice or visit their website : [Protect - Speak up stop harm - Protect - Speak up stop harm \(protect-advice.org.uk\)](http://Protect - Speak up stop harm - Protect - Speak up stop harm (protect-advice.org.uk))
- **NSPCC** - The NSPCC whistleblowing helpline is available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call 0800 028 0285 (8.00 am to 8.00 pm Monday to Friday) or email [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

## **10 The Media**

You should under no circumstances approach a commercial body or the media with details of the suspected wrongdoing. If you approach any such body and/or where your concern is disclosed in a malicious manner or for personal gain, the protection given to you by this procedure may be lost. Additionally, the Trust may consider this to be gross misconduct.

## **11 Monitoring, Evaluation and Review**

All matters raised under the policy together with the outcome will be reported to the Council on a confidential basis who will have oversight in ensuring that any recommendations have been implemented.

The Council will review the policy at least every two years and assess its implementation and effectiveness.