



## Whistleblowing Policy

**This policy applies to the whole school including the Early Years Foundation Stage (EYFS). It is available on the school website and a copy may be obtained from the school office on request.**

### **Applies to:**

- The whole staff inclusive of activities outside of normal school hours;
- All staff (teaching and support staff), the Board, Management and volunteers working in the school.

### **Availability:**

The policy is available to the public via the school website and a copy may be obtained from the school office upon request. All who work, volunteer, or supply services to our school have an equal responsibility to understand and implement this policy and its procedures both within and outside of school hours including activities away from school grounds. Our approach at Traill International School is student-centred and at all times we will act in the best interests of the child.

### **Legal Status:**

The policy is framed by the key piece of whistleblowing legislation in Great Britain; the Public Interest Disclosure Act, 1998, (PIDA). The situations covered include criminal offences, risks to health and safety, failure to comply with a legal obligation, a miscarriage of justice and environmental damage. Employees and workers who make a “protected disclosure” are protected from being treated badly or being dismissed. For a disclosure to be protected it must be made to an appropriate body.

### **Related Documents:**

- Safeguarding and Child Protection Policy
- Health, safety and Wellbeing Policy
- Anti-Bullying Policy
- Safe Recruitment Policy
- E-Safety Policy
- Behaviour Management Policy
- Employment Policies



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### Monitoring and review:

This policy is subject to ongoing monitoring, refinement and editing by Barry Stockton (Principal). A full annual review of the policy and procedures will be undertaken by the Board, including its implementation and the efficiency with which the related duties have been discharged. Any deficiencies or weaknesses recognised in arrangements or procedures will be remedied immediately or as soon as is practical. All staff will be informed of the updated/reviewed policy and it will be made available to them electronically.

Traill International School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, employees and others with serious concerns about malpractice or wrongdoing in the school's work are encouraged to come forward and voice those concerns without fear of victimisation. Whatever the source, the Board is committed to listening to the concerns, taking them seriously and ensuring that they are dealt with promptly and fairly.

We explicitly require staff to report to the Principal of Traill International School, or to the Board, any concern or allegation about school practices or the behavior of colleagues which are likely to put students at risk of abuse or other serious harm.

"Whistleblowing" has been defined to mean the confidential raising of problems or concerns within an organisation by a member of staff. This is not "leaking" information but refers to matters of impropriety such as a breach of law, school procedures or ethics. Whistleblowing is not the raising of a grievance within the school (which would be dealt with under the grievances protocols).

Those outside of Traill International School are encouraged to raise any concerns that they have about the way in which the school operates through the School's Complaints Procedure.

Employees are often the first to realise that there may be something seriously wrong within an organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. Employees are encouraged to raise their concerns within Traill International School by applying the approach described in this document, rather than overlooking a problem or "blowing the whistle" outside of the organisation.

This policy provides immunity from retribution or disciplinary action against Traill International School staff for whistleblowing in good faith. At all levels, including newly appointed and ancillary, staff have been given briefings or training on responding to suspicions or allegations of abuse and know what action they should take in response to such suspicions or allegations.

It should be emphasised that this policy is intended to assist individuals who believe they have discovered malpractice or impropriety. It is not designed to question financial or business decisions taken by the school nor should it be used to reconsider any matters which have already been addressed under harassment, complaint, disciplinary or other procedures. Once the whistleblowing procedures are in place, it is reasonable to expect staff to use them rather than air complaints outside the school.



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### Purpose:

The purpose of this policy is to:

- encourage a member of staff to feel confident in raising serious concerns and to question and act upon concerns and practice;
- provide an avenue for a member of staff to raise those concerns and receive feedback on any action taken;
- ensure that a member of staff receives a response to their concerns and that the member of staff is aware of how to take the matter further if they are not satisfied with our response;
- reassure the member of staff that they will be protected from reprisals or victimisation for any disclosure that has been made in good faith;
- the policy is intended to cover any serious concerns that a member of staff has about any aspect of service provision or the conduct of a member of staff or others acting on behalf of Traill International School or major concerns that fall out of the scope of other procedures.

### Whistleblowing Policy and Procedure

#### Guidance Introduction:

We encourage colleagues and others with serious concerns about any aspect of the work or procedures at Traill International School, Bangkok to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis. This policy document makes it clear that colleagues can do something without fear of reprisals. This Whistleblowing Policy is intended to encourage and enable colleagues to raise serious concerns within TIS initially so that they can be resolved speedily and appropriately.

That concern may be about something that:

- comprises the physical, emotional, or sexual abuse of pupils or staff
- is unlawful (e.g., theft, bribery, or fraud); or
- constitutes failure to comply with a legal regulation; or
- endangers an individual's health and safety; or
- risks or damages the environment; or
- is against TIS's financial regulations or policies; or
- covers up wrongdoing; or
- is a miscarriage of justice; or
- amounts to improper conduct

Personal grievances are not covered by the whistleblowing policy. Personal grievances should therefore be raised under the relevant Grievance Procedure.



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### **Safeguards**

#### **Harassment, Bullying or Victimisation:**

Trail International School recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. We will not tolerate harassment, bullying or victimisation and will take action to protect colleagues when they raise a grievance or concern in good faith. This does not mean, however, that if colleagues are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of their whistleblowing.

#### **Confidentiality:**

Trail International School will do its best to protect colleagues' identity when they raise a concern and do not want their name to be disclosed. It must be appreciated that the investigation process may reveal the source of the information and that colleagues may be required to give a statement as part of the evidence.

#### **Anonymous Allegations:**

This policy encourages colleagues to put their name to an allegation. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the school. In exercising the discretion, the factors to be taken into account would include the seriousness of the issues raised, the credibility of the concern and the likelihood of confirming the allegation from other attributable sources.

#### **Untrue Allegations:**

No disciplinary or other action will be taken against a whistleblower who makes an allegation in the reasonable belief that it is in the school's, students' or staff's best interest to do so even if the allegation is not substantiated by an investigation. However, disciplinary action may be taken against a whistleblower who makes an allegation without reasonable belief that it is in the school's students' or staff's best interest to do so (e.g., making an allegation frivolously, maliciously or for personal gain).

## **Appendix 1 – Trail International School Whistleblowing Policy - Schools**

### **1. Introduction**

Trail International School and the Principal are committed to delivering a high-quality education service to students and expect high standards from their staff and contractors. In order to maintain these high standards a culture of openness and accountability is vitally important. The aims of this policy are threefold:

- to encourage staff to raise concerns about malpractice within the school without fear of reprisal.



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- to reassure staff that concerns will be taken seriously
- to provide information about how to raise concerns and explain how the Principal and TIS may respond.

### 2. Scope of the Policy

This policy applies to all school employees, agency staff, contractors and volunteers engaged by the school. There is a separate procedure for students and parents to raise concerns about school related issues.

### 3. What is whistleblowing?

In practical terms, whistleblowing occurs when a concern is raised about danger or illegality that affects others. As the person raising the concern you will not necessarily be directly affected by the danger or illegality. Consequently, you will not necessarily have a personal interest in the outcome of any investigation into your concerns. This is different from a complaint or grievance. If you make a complaint or lodge a grievance, you are saying that you personally have been poorly treated. This poor treatment could involve a breach of your individual employment rights or bullying, and you are entitled to seek redress for yourself.

### 4. Raising concerns on Malpractice

Malpractice covers a wide range of concerns. The types of activity that should be disclosed include but are not limited to the following:

- the physical, emotional, or sexual abuse of pupils or staff
- unauthorised use of School funds and/or financial maladministration
- fraud and corruption
- failure to comply with legal obligations
- endangering of an individual's health and safety
- damage to the environment
- a criminal offence
- failure to follow financial and contract procedure rules
- showing undue favour to a contractor or a job applicant
- miscarriages of justice
- deliberate concealment of information relating to any of the above
- concerns about the professional practice or competence of colleagues, other members of staff or other workers

Staff should raise their concerns with the Principal. The earlier a concern is raised the easier it will be to take action. You the whistleblower are a witness to events not the investigator. You do not need to wait for compelling evidence of malpractice before raising concerns, but you must have reasonable grounds for your suspicion.



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When reporting a concern, you should provide as much information and detail as possible. In particular you should provide the full names of the people involved or who know about what is happening, including dates of events and any relevant documentation. This will help the investigator to focus on the main issues quickly.

There will be some cases where it is not appropriate for you to raise concerns with the Principal, for example where you suspect your Principal already knows about the malpractice or where you suspect your Principal may be involved. In those cases, you should report your concerns to the Head of HR.

Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. You will be advised whether an investigation takes place or not.

### 5. Advice and Support

The School recognises that staff may wish to seek advice before raising concerns and the school has no objection to you doing this provided you have maintained confidentiality and you do not breach any local laws (e.g., defamation laws)

Whistleblowers who consider that they have been victimised as a result of whistleblowing should make a formal complaint to the school Head of HR immediately giving details of the way in which they believe they have been subject to detriment and their reasons for thinking that the detriment might be connected with their disclosure.

### 6. Confidentiality

The school understands that you may be reluctant to come forward with information about the wrongdoing of a colleague or manager or indeed at all. As such, the school recognises that whistleblowers may wish to raise concerns in confidence. If you (the whistleblower) make a request or the matter to be kept confidential then your identity will not be revealed without discussing the matter with you first.

### 7. Anonymous Allegations

It is recognised that the purpose of a whistleblowing policy is to allow people to make protected disclosure with the protection being against any reprisals or victimisation for disclosures made honestly and in good faith. It is very difficult for some people to come forward and make a disclosure and the prospect of having to identify yourself can make the action of whistleblowing all the more daunting. You are encouraged to give your name when raising concerns. A concern expressed anonymously is much less powerful and is often more difficult to investigate and can lack credibility. The decision whether to investigate an anonymous allegation will be made by the Principal and HR Manager. When making this decision they will take into account the seriousness of the issues raised, the credibility of what is being said and the likelihood of confirming the allegation from other sources.



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### **8. Protection for the Whistleblower**

All concerns raised under this procedure will be treated seriously and a decision made about whether an investigation is appropriate. Depending upon the nature of the matter it may be referred to the external auditor or the police. The person to whom you reported your concern will be responsible for keeping you informed about the progress of the investigation and the action, which has been taken, although you may not be told the outcome. In some cases, the investigation may result in criminal or disciplinary proceedings. If this happens you may be invited to give a written statement or give evidence at a hearing.

The Principal will support you in this process and ensure that you are clear about what will happen.

### **9. Allegations not made in good faith**

The school will not tolerate abuse of this Policy. Concerns that are raised frivolously, maliciously, or where they are known to be untrue may result in disciplinary action or, in the case of agency staff, the termination of the agency contract. In the case of contractors, the matter will be reported to the relevant Contract Manager so that a decision can be made about the appropriate action to take.

### **10. Reviews and Operation of this Policy**

The school, its' Principal and the Board of Directors have overall responsibility for the operation of this policy.