



WHISTLEBLOWING CODE

INTRODUCTION

This code is intended to support the School's aim to be a place in which there is shared concern for the safety and wellbeing of all members of the community, with a culture of openness, honesty and reflective practice in which appropriate concerns can always be raised. Members of staff are made aware of this code through the Staff Code of Conduct, the Safeguarding and Child Protection Policy, and the Staff Handbooks.

In all cases that involve child protection and safeguarding, this code should be read in conjunction with the School's Safeguarding and Child Protection Policy.

WHEN TO USE THE CODE

In general, whistleblowing concerns relate to wrongdoing, fraud or misconduct at work.

Where the concerns relate to child protection and safeguarding, staff must follow the guidance set out in the Safeguarding and Child Protection Policy (including in Appendix 3: Procedure to be followed in the event of an allegation of abuse against a member of staff or volunteer).

The whistleblowing procedures and this code may be used by any member of staff (paid, voluntary or visiting) who believes they have reason to suspect that one or more person(s) involved with the School might have committed:

- A crime or other unlawful act or miscarriage of justice;
- A discriminatory act or other substantive breach of the School's Equal Opportunities Policy;
- A substantive breach of the School's Health and Safety Policy;
- Damage to the School's environment or property;
- Fraud or inappropriate, unauthorised use of school funds;
- Any other act constituting a serious breach of the School's Staff Code of Conduct, or possible gross misconduct (see the School's disciplinary procedure)
- Inappropriate, unprofessional or harmful conduct towards a child (or children);
- Inappropriate, unprofessional or harmful conduct towards a member of staff, parent, or visitor.

The list above is not exhaustive and there may be other acts or kinds of behaviour that justify whistleblowing.

REASONS FOR WHISTLEBLOWING

All staff have an individual and collective responsibility to provide an environment in which the safety and welfare of children is paramount. All staff, including governors, visiting teachers or volunteers should feel able to raise concerns about poor or unsafe practice and potential failures in the School's safeguarding regime.

It is important that wrongdoing, fraud or misconduct are confronted. Reporting concerns deters any suggestion of collusion in poor practice and ensures that the School is able to address problems promptly and openly.

Whistleblowing can also support the member of staff who is the subject of the concern. Their conduct may result from inexperience or lack of training that can be addressed by the School. Equally, they may be under stress and be relieved when their conduct is questioned and they feel able to seek help. Those who deliberately fail children and show no remorse or desire to improve are unlikely to welcome being exposed, but their conduct has to be confronted for the sake of the child and the welfare of the whole community.

BARRIERS TO WHISTLEBLOWING

The safety and wellbeing of all children at Geneva English School is our highest priority. In cases relating to child protection and safeguarding, members of staff must bring their concerns to the School, following the procedures in the Safeguarding and Child Protection Policy.

In deciding whether to use the whistleblowing code with regard to other issues, individuals may worry that they have insufficient evidence to raise a concern, that they will set in train an unstoppable chain of events, that there will be adverse repercussions for their career, that they may suffer harassment or victimisation, or that their suspicion or concern might be misplaced.

These concerns are entirely understandable but staff should be reassured that to report any concerns in good faith will always be seen as a correct professional act. The School will do all it can to protect members of staff from any adverse repercussions that may arise from whistleblowing. Allegations that prove to be deliberately fabricated and malicious will be dealt with through staff disciplinary procedures. However, no action will be taken against a member of staff who raises a genuine concern that proves to be unfounded.

CONFIDENTIALITY AND ANONYMITY

The principles of confidentiality for matters of child protection and safeguarding are laid out in the Safeguarding and Child Protection Policy. Child protection issues warrant a high level of confidentiality, not only out of respect for the child and staff involved but also to ensure that any information released into the public domain does not compromise evidence.

In other whistleblowing cases, all concerns will be treated in confidence to the extent possible. Absolute confidentiality cannot be guaranteed in all circumstances.

Staff may raise concerns anonymously. However, this carries additional risks and complications. It is harder to investigate anonymous concerns and it may not prevent others from guessing successfully who raised the concern. Usually, the best way to raise a concern is to do so openly. The School would need to decide whether the concern warrants investigation if its source, and any associated evidence, is not readily available.

REPORTING PROCEDURE

For safeguarding and child protection concerns, staff must follow the procedures laid out in the Safeguarding and Child Protection and Policy. Where allegations concern members of staff, refer to Appendix 3.

Issues relating to wrongdoing, fraud or misconduct should be taken to the Head or another member of the School's leadership team. A colleague may accompany a whistleblower to the meeting if desired.

If the nature of the issue precludes a member of staff from telling the Head or any of the School's leadership team, they should report it to the Chair or Vice Chair of Governors.

If a member of staff member has good reason to believe that the School (Governors, Head and School Leadership Team):

- will cover it up;
- would treat them unfairly if they raise the concern;
- has already been told and has failed or refused to address the matter appropriately;

they may consider taking the matter to authorities outside the School.

A criminal offence can be reported to the Ministère Public or Procureur Général (<http://ge.ch/justice/ministere-public>).

A fiscal offence can be reported to Service du contrôle fiscal (Contrôle fiscal, rue du Stand 26, 1204 Genève; Case postale 3937, 1211 Genève 3; Tel: 022 327 59 24)

PROCESS AND OUTCOME

In cases involving child protection and safeguarding, the School will proceed in accordance with the procedures outlined in the School's Safeguarding and Child Protection Policy.

In cases of fraud, theft or other criminal activity not involving the safety and welfare of children, the police will be informed. Where the police judge that the incident meets the threshold for a criminal investigation, the matter will not be investigated by the School until any police investigation has been concluded.

In cases of wrongdoing or misconduct that does not meet the threshold for a criminal investigation, the Head, Deputy Head, Chair of Governors or Vice Chair of Governors will normally investigate. The whistleblower will be kept informed of the progress of the investigation and its outcome as appropriate.

Timescales will depend on the complexity of the initial investigation but the case should not be allowed to stall and initial feedback should be provided within ten working days. The timescale for subsequent feedback should then be agreed. If there is a need for mediation or dispute resolution, this should be handled carefully and fairly by the appropriate person dealing with the allegation.

The whistleblower should ask for clarification about confidentiality and ensure their wishes regarding the protection of their identity are recorded.

Author: Head

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