

# LYCÉE FRANÇAIS CHARLES DE GAULLE DE LONDRES

## Whistleblowing policy

**Created** March 2023

**Reviewed** September 2024

*This policy is publicly available on the School website and is available in hard copy on request.*

### 1. Purpose

This policy is written for people working at the Lycée Français Charles de Gaulle de Londres (the “School”). This policy applies on the School’s four sites.

It sets out the steps you must follow to raise a concern that counts as whistleblowing, and how the School responds to whistleblowing allegations.

### 2. Whistleblowing

Whistleblowing is when a worker reports certain types or **wrongdoing** within an organisation **that are in the public interest**. This means it must affect others, for example the general public.

In the case of the School, a “worker” means an employee, an agency worker or a trainee at the School. If you are a volunteer, or a self-employed professional you are not covered by the Public Interest Disclosure Act, however the School encourages everyone to raise their concerns that would otherwise count as whistleblowing if they have them in order that they can be investigated to ensure that the School and its staff are acting appropriately.

The types of wrongdoing that count as whistleblowing are listed below.

As a whistleblower 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.

### 3. Complaints that count as whistleblowing

This policy applies, and you're protected by law, if you report any of the following:

- a criminal offence, e.g. fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the School is breaking the law, for example does not have the right insurance
- you believe someone is covering up wrongdoing

### 4. Complaints that do not count as whistleblowing

Personal grievances (e.g. bullying, harassment, discrimination) are still important, but do not come under whistleblowing legislation (unless your particular case is in the public interest)—these should be reported through the School's grievance procedure.

### 5. Children first

Where there is reason to suspect a child may be at risk of significant harm, everyone is under a duty to take action to keep the child safe. Your duties are set out in the safeguarding children policy. The School will prioritise following the School's safeguarding policy and where appropriate contact the Local Authority Designated Officer.

### 6. School principles

The School sees it as your professional duty to raise concern if you strongly suspect wrongdoing. The safety of everyone here comes above your loyalty to the organisation. This Policy is intended to encourage and enable workers to raise any genuine concerns or suspicions without fear of recrimination.

Anyone considering making a whistleblowing disclosure may seek legal advice from a lawyer, or seek advice and support from their trade union.

Any concern raised under this policy will be taken seriously by the School, will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the worker who raised the issue as appropriate.

Concerns must be treated confidentially by both the person raising the concern and the School while they are being investigated.

### **Anonymous Allegations**

The school will still consider concerns raised anonymously, but will decide whether to investigate based on the seriousness of the allegation, the sufficiency of detail provided, the credibility of the concern and the likelihood of being able to gather sufficient evidence to make a finding.

The School would prefer you raise the concern with your name but ask this is treated confidentially.

If you ask the School to protect your identity by keeping your confidence, the School will not disclose it without your consent. If the situation arises where the School is not able to resolve the concern without revealing your identity (for instance, because your evidence is needed in court), the School will discuss with you how it will proceed.

### **Safeguard against reprisal, harassment and victimisation**

No worker will be victimised for raising a matter under this policy. This means that the continued employment and opportunities for future promotion or training will not be prejudiced because he/she has raised a legitimate concern.

The School will not tolerate harassment or victimisation of workers. Any member of staff who victimises or harasses a worker as a result of their having raised a genuine concern in accordance with this whistleblowing policy will be dealt with under the School's disciplinary procedures.

### **Untrue and malicious/vexatious allegations**

The School is committed to this Policy. If you raise a qualified disclosure, you will be protected. The School will not extend this assurance to someone who maliciously raises a matter they know to be untrue. If a worker raises malicious, vexatious or knowingly untrue concerns in order to harm colleagues or the School, they will face disciplinary action.

## **7. What you must do**

Most issues should be resolved internally, and you should report any whistleblowing concern directly to the Proviseur and the School's Designated Safeguarding Lead (DSL).

You do not need to prove that something has happened, although if you have any evidence of the wrongdoing, you should provide this. Instead, the School needs you to explain clearly why you think there may be wrongdoing. The School will then consider how to go forward.

It is helpful to put your concern in writing, being clear about what you are concerned about, together with any evidence you may have to support your view.

If you have already raised the issue with the Proviseur and they haven't dealt with it, or if you are unable to speak to anyone in the School because you are concerned the issue won't be dealt with properly or covered up, or you're worried about being treated unfairly, you can contact:

- The Department for Education
- The Health and Safety Executive (for health and safety concerns)
- people and bodies listed on the whistleblowing: [list of prescribed people and bodies](#)
- Your Member of Parliament
- Your legal adviser

Staff who do not feel able to raise concerns about child protection failures internally may also contact the NSPCC whistleblowing helpline:

Telephone: 0800 028 0285;

Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)

If you believe a crime has been committed, you should contact the police.

**You may not take concerns to any person other than those set out above.**

In particular, any concern raised through social networking or approach to the media may be considered as gross misconduct and, in most cases, you will lose your whistleblowing law rights.

## 8. Independent advice

[Protect](#), a specialist whistleblowing charity, can help explain:

- what types of wrongdoing you can report
- your legal rights
- next steps if you decide to report something

You can contact them on 020 3117 2520.

## 9. Steps for responding to a concern

1. The Proviseur and the DSL will reassure any whistleblower that the School has heard the concern, and that the School will investigate. The School needs to respond to the concerns raised. At this stage the concerns/allegations are neither accepted nor rejected
2. The School recognises that taking such action can be stressful, so will consider with the whistleblower the support they might need. The whistleblower can contact Protect, their trade union or professional association for advice or support if they so wish.
3. The School will provide the whistleblower with a copy of this policy.
4. Once you have told the School of your concern, the School will look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation. The School will tell you who is handling the matter, how you can contact him/her and whether your further assistance may be needed.
5. The person undertaking the review is required to acknowledge your referral and once the investigation is underway, they are expected to keep you aware of developments. However, they will not be able to tell you the precise action and the outcome taken where this would infringe a duty of confidence owed by the School to someone else.
6. The School will consider whether the information reaches the criteria for a referral to Children's Services or the Local Authority Safeguarding Officer under the safeguarding children policy and act accordingly.
7. If at this stage or any point during an investigation there are grounds to suspect a criminal offence has occurred, the School will contact the police, and no steps will be taken by the School to investigate further until the police have advised this can occur.

8. The investigation can have four possible outcomes:
  - a. Action required – wrongdoing has been established and the School will rectify this, potentially including application of disciplinary or capability procedures;
  - b. Legitimate misunderstanding – work is required to ensure both parties understand why there has been a misperception;
  - c. Personal grievance – advice to be given to follow this procedure rather than whistleblowing; or
  - d. Potentially malicious disclosure – if there is evidence a whistleblowing allegation is malicious and false this may be considered a disciplinary matter.
9. When the School has completed its enquiries, or if the School requires further time, the School will tell you. The School is limited in what it can share by its duty of confidence to other people, but the School will aim to share sufficient information so that you are not worried anymore.

## 10. Creating a safe culture

- Every member of staff receives a copy of this policy at induction and when the policy is reviewed.
- Any contractor or temporary member of staff also receives a copy of this policy when they start work with the School.
- The School will agenda whistleblowing on the governing body agenda at least annually, talk through the importance of raising a concern at the earliest opportunity, the process to follow and where you can access this policy. Senior leaders will also refresh themselves on the process for investigating a whistleblowing concern set out above.
- The School seeks to maintain a learning culture where anyone can speak out about something the School can improve. The School provides opportunities to talk about concerns or improvements in team meetings and supervision. The School is open to individual conversations.
- While the School does not always agree, it ensures everyone feels listened to and action is always taken to correct wrongdoing.