

# ISP Group Whistleblowing policy

**Policy Owner:** Group Head of People Operational

**Reviewed:** November 2021

## 1. RATIONALE

As an organisation, we are committed to the highest standards of honesty, integrity, transparency and probity and seek to always conduct our affairs in a responsible and accountable manner in line with our principles and values.

A culture of openness and accountability is essential in order to protect our organisation against things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. We encourage those working for us to report any concerns about potential wrongdoing or perceived dangers through the proper channels, as early as possible, so that they can be investigated and resolved.

All colleagues have an important role in achieving this goal. Colleagues will usually be the first to know when someone in the organisation is doing something illegal or improper but often feel worried about voicing their concerns. The aim of this policy and procedure is to cover the reporting of any genuine concerns colleagues may have about suspected misconduct within ISP.

Whistleblowing is the disclosure of information which relates to suspected wrongdoing (generally a breach of a legal, statutory or regulatory requirement or unethical, immoral behaviour). Our Whistleblowing Policy:

- encourages colleagues to report suspected wrong doing as soon as possible in the knowledge that their concerns will be taken seriously and investigated appropriately and that confidentiality will be respected
- provides colleagues with guidance as to how to raise such concerns
- reassures colleagues that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

Regional and school policies must:

- be in line with this guidance and rationale;
- support ISP Principles; and
- be compliant with local legislation and good practice.

All regional offices and schools must have their own whistleblowing policy and procedure in place in line with the guidance set out in this document. School whistleblowing policies should follow the format set out in Appendix 1. Regional policies will be collated in the appendices.

## 2. WHISTLEBLOWING POLICY AND PROCEDURE GUIDANCE

### **Introduction**

We encourage colleagues and others with serious concerns about any aspect of the ISP's work 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 ISP 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 ISP'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 whistleblowing law unless the particular case is in the public interest. Personal grievances should therefore be raised under the relevant Grievance Procedure.

### **Safeguards**

#### *Harassment, Bullying or Victimisation*

ISP 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**

ISP 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 ISP. 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 public 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 public interest to do so (e.g. making an allegation frivolously, maliciously or for personal gain where there is no element of public interest).

## **Appendix 1 – ISP Whistleblowing Policy St George British School Barcelona**

### 1. Introduction

International Schools Partnership and the Headteacher/Principal are committed to delivering a high quality education service to pupils 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
- to reassure staff that concerns will be taken seriously
- to provide information about how to raise concerns and explain how the Head and ISP 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 pupils 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 Headteacher / 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.

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 the names of those involved, 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 your Headteacher/Principal, for example where you suspect your Headteacher/ Principal already knows about the malpractice or where you suspect your Headteacher/ Principal may be involved. In those cases, you should report your concerns to the Regional Managing Director – Bernardo de Vicente [bdevicente@ispschools.com](mailto:bdevicente@ispschools.com).

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 and support from their professional association or trade union where this is in place, before raising concerns and the school will support you in doing this.

Whistleblowers who consider that they have been victimised as a result of whistleblowing should make a formal complaint to their employer 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. Please contact Coral Villarreal from the HR department – [cvillarreal@ispschools.com](mailto:cvillarreal@ispschools.com)

It is the responsibility of your employer to ensure that you are not victimised as a result of whistleblowing.

## 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 for 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 Headteacher/ Principal and Regional 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.

#### 8. Protection for the Whistleblower

All concerns raised under this procedure will be treated seriously and a decision made about whether or not 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 Headteacher / Principal will support you in this process and ensure that you are clear about what will happen.

#### 9. Allegations not made in the public interest

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

ISP in partnership with the school has overall responsibility for the operation of this policy.

### **Appendix 2** **ISP Central Office Whistleblowing Procedure**

The procedure is intended to conform to the guidance in the Public Interest Disclosure Act (PIDA). PIDA encourages colleagues to raise concerns internally in the first instance.

#### ***How to raise concerns***

As a first step, colleagues should normally raise the concerns with their immediate line manager or the Group Head of People Operations who is the Regional Whistleblowing Officer.

This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that management is involved, you should as a matter of urgency approach one of the CEO, the Group CFO, the Group Head of Legal or the Regional Whistleblowing Officer.

Concerns are better raised in writing. Colleagues are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation. If a colleague feels unable to put their concern in writing, they can telephone or arrange to meet with the Regional Whistleblowing Officer. The earlier a colleague expresses a concern, the easier it is to take action.

Although colleagues are not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for their concern.

If a colleague needs advice before raising a concern, they can contact the independent charity, Public Concern at Work on 020 7404 6609 or [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk).

### ***How we will respond***

The action taken by ISP will depend on the nature of the concern. The matters raised may:

- be investigated internally
- be referred to the Police or external authorities
- be referred to the external auditor

In order to protect individuals and ISP, initial enquires will be made to decide whether an investigation is appropriate and, if so, what form it should take. Some concerns may be resolved by agreed action without the need for investigation.

Within ten working days of a concern being received, ISP will write to the colleague:

- acknowledging that the concern has been received;
- indicating how it proposes to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- telling the colleague whether any initial enquiries have been made;
- telling the colleague whether further investigations will take place, and if not, why not.

The amount of contact between those considering the issues and the colleague will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the colleague.

When any meeting is arranged, colleagues may choose to be accompanied by a trade union official or by another willing employee of their choice.

Regional Whistleblowing Officer: Jo Pertwee, Group Head of People Operations

Contact number: 07887571247

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