



Budapest British International

School

WHISTLEBLOWING POLICY

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Key Contacts

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| Principal | David Porritt | Contact details | +36703158982 David.porritt@bbis.hu |

Acronyms

| | |
|--------------|---|
| CAHMS | Children and Adolescent Mental Health Service |
| CCE | Child Criminal Exploitation |
| CL | County Lines |
| CSE | Child Sexual Exploitation |
| DBS | Disclosure and Barring Service |
| DDSL | Deputy Designated Safeguarding Lead |
| DfE | Department for Education |
| DSL | Designated Safeguarding Lead |
| EHE | Elective Home Education |
| FGM | Female Genital Mutilation |
| HBA | Honour Based Abuse |
| HSB | Harmful Sexual Behaviour |
| KCSIE | Keeping Children Safe in Education |
| LA | Local Authority |
| LADO | Local Authority Designated Officer |
| MASH | Multi-Agency Safeguarding Hub |
| OCSE | Online Child Sexual Exploitation |
| PSHE | Personal, Social, Health and Economic education |
| SCR | Single Central Record |
| SEND | Special Educational Needs and Disability |
| SENCo | Special Educational Needs and Disabilities Co-ordinator |
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Terminology

| | |
|-------------------------|--|
| Child protection | is a part of safeguarding and promoting welfare. It refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm. |
| Early help | means the provision of support as soon as additional needs and support emerge or are identified at any point in a child's life. |
| Staff | refers to all those working for or on behalf of the School, full or part time, temporary or permanent, in either a paid or voluntary capacity. |
| Child | includes everyone under the age of 18. On the whole this will apply to Students at our School; however the policy will extend to visiting children and Students from other establishments. |
| Young person | refers to Students over the age of 18. |
| Parents | refers to birth parents and other adults who are in a parenting role, for example step-parents, foster carers and adoptive parents. |

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1. Background

Budapest British International School (BBIS) fully recognises its responsibility to safeguard, promote and protect the safety of all Students in its care. This means ensuring safeguarding and child protection are at the forefront and underpin all relevant aspects of process and policy development at **BBIS**. Ultimately, all systems, processes and policies should operate with the best interests of the child at their heart. **BBIS** has an attitude of 'it could happen here'. **BBIS** expects all Staff to share this commitment.

Schools and colleges and their staff are an important part of the wider safeguarding system for children. This system is described in the statutory guidance Working Together to Safeguard Children.

Safeguarding and promoting the welfare of children is **everyone's responsibility**. **Everyone** who comes into contact with children and their families has a role to play. In order to fulfil this responsibility effectively, all practitioners should make sure their approach is child- centred. This means that they should consider, at all times, what is in the **best interest** of the child.

Keeping Children Safe in Education – 2022

The purpose of this Policy is to provide staff, Trustees, volunteers and the wider school community with the framework needed in order to keep children safe and secure **BBIS**.

The Policy forms part of the safeguarding arrangements for our school and should be read in conjunction with the following:

- Keeping Children Safe in Education, 2022
- Working Together to Safeguard Children, 2018
- Inspecting Safeguarding in Early Years
- The role of the designated safeguarding lead (Annex B of KCSIE)
- The safeguarding response to children missing from education
- Safeguarding and Child Protection Policy
- Behaviour Policy
- Staff Code of Conduct
- Allegations against Adults Policy
- Low Level Concerns Policy

Safeguarding and promoting the welfare of children (everyone under the age of 18) is defined in Keeping Children Safe in Education, 2022 as:

- Protecting children from maltreatment
- Preventing impairment of children's mental and physical health or development
- Ensuring that children grow up in circumstances consistent with the provision of safe and effective care
- Taking action to enable all children to have the best outcomes.

Employees are often the first to realise that there may be something wrong within the school. However, they may decide not to express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice. The Public Interest Disclosure Act 1998 provides statutory protection to employees making disclosures and the Trust extends the principles of that Act into this policy to give, Trustees, partners, and members of the public the same route to raise concerns.

2. Our Safeguarding Pledge

Children will:

- Get the help they need when they need it;
- Be seen by a professional such as a teacher, doctor or social worker to make sure children are alright and not put at more risk;
- Be listened to seriously, and professionals will use their power to help children;
- Be able to discuss issues in private, if and when children want to.

Professionals will:

- Be involved with children and help them understand decisions made about their lives;
- Provide children with a named adult to help them;
- Share information to protect children;
- Minimise disruption to other parts of children's lives;
- Work together effectively on children's behalf;
- Be competent, confident, properly trained and supported;
- Work to continually improve how and what is done to help children.

3. Definitions for the purposes of this Policy

Irregularities fall within the following categories, of which the majority are criminal offences:

Fraud

- Fraud – as set out in the Fraud Act 2006, which created a new general offence of fraud. Fraud can be committed by:
 - False representation
 - Failing to disclose information
 - Abuse of position

Other offences created under the Fraud Act are:

- Possession of articles for use in frauds
- Making or supplying articles for use in frauds
- Participating in a fraudulent business carried on by a sole trader
- Obtaining services dishonestly

Theft

- Theft – Dishonestly appropriating the property of another with the intention of permanently depriving them of it. This may include the removal or misuse of funds, assets, or cash (Theft Act 1968).
- False Accounting - Dishonestly destroying, defacing, concealing, or falsifying any account, record or document required for any accounting purpose, with a view to personal gain or gain for another, or with intent to cause loss to another or furnishing information, which is or may be misleading, false or deceptive (Theft Act 1968).

Bribery

- A person is guilty of bribery, as defined by the Bribery Act 2010, if they either:
- Offer, promise or give a financial or other advantage to another person, and intends the advantage:
 - To induce a person to perform improperly a relevant function to activity, or

- o To reward a person for the improper performance of such a function or activity or
- Offer, promise or give a financial or other advantage to another person, and knows or believes that the acceptance of the advantage would itself constitute the improper performance of a relevant function or activity

Money Laundering

- The conversion or transfer of property, knowing that such property is derived from serious crime, for the purpose of concealing or disguising the illicit origin of the property or of assisting any person who is involved in committing such an offence or offences to evade the legal consequences of his action, and the concealment or disguise of the true nature, source, location, disposition, movement, rights with respect to, or ownership of property, knowing that such property is derived from serious crime. (Money Laundering Regulations 2007)

Collusion

- The term “collusion” in the context of reporting fraud is used to cover any case in which someone incites, instigates, aids and abets, conspires or attempts to commit any of the crimes listed above.

Failure to observe

- The laws of the land
- or breaches of, The Constitution, Scheme of Delegation, Contract Procedure Rules, and Financial Procedure Rules.
- or breaches of departmental procedures or Health & Safety Regulations - in some circumstances can constitute an irregularity, with potentially significant financial consequences.
- Procedures and guidelines issued by the respective Safeguarding Children Board with the risk that children may suffer harm. Section 10 of the Children Act 2004 place a duty on relevant partners, persons or bodies working with children to co-operate with a view to improving the well-being of children. It is this duty that supports early intervention to safeguard and promote children and young people’s well-being in order that good outcomes can be delivered.

Failure to comply

- with the school’s employment policies including cases of harassment and bullying.
- with the school’s policy and legal requirements in relation to the protection of children and vulnerable people.

All benefit-related fraud

- including tax reduction and discounts, tenancy fraud, etc.

4. Policy statement

BBIS is committed to the highest possible standards of openness, probity and accountability and expects that Trustees and employees at all levels will protect the school and its resources and lead by example, ensuring high standards of personal conduct and adherence to the school’s policies, procedures, and rules.

In line with this commitment, we encourage employees, Trustees, partners, with any concerns about any aspect of the school’s work to come forward and voice those concerns.

It is recognised that certain cases will have to proceed on a confidential basis.

The school will not tolerate any occurrence of irregularities and operates a 'zero tolerance' approach to known instances and attempts. The school will take all appropriate measures to protect its employee's and partners, including children and vulnerable people, and public funds and to reduce the risk of an irregularity occurring from either internal or external sources. Whenever an irregularity of any description is detected, it will be investigated and appropriate prosecution, disciplinary and recovery action will be taken.

This Whistleblowing Policy applies to all employees, and workers (including those designated as casual, temporary, agency, authorised volunteers, or work experience), contractors and partners working for the school on or off school premises, and the public and is intended to encourage and enable people to raise any concerns within the school rather than overlooking a problem or blowing the whistle outside without fear of reprisals or victimisation.

This policy aims to:

- encourage employees to feel confident in raising concerns;
- provide avenues for employees to raise concerns in confidence (and if necessary anonymously) and receive feedback on any action taken;
- allow employees to take the matter further if they are dissatisfied with the school's response, and
- reassure them that they will be protected from reprisals or victimisation for whistle blowing and appropriate action will be taken should this occur.

There are existing procedures in place to enable employees to lodge a grievance relating to their own employment. This Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures.

5. What is covered by the Policy?

A concern may be about something that:

- Is unlawful; or
- Is against the Trust's Constitution or policies; or
- Falls below established standards or practice; or
- Amounts to improper conduct.

A concern can therefore relate to any unethical or unprofessional conduct relating to the school, including malpractice, and abuse. This not only covers acts that have actually occurred but also those that may potentially occur

Examples of malpractice in this context may include concerns about possible fraud and corruption, financial irregularities, dangerous procedures risking health and safety to the public as well as to other employees, abuse or bullying of clients including children and vulnerable people, evasion of statutory responsibilities, environmental issues, etc. The overriding concern should be that it would be in the public interest for the malpractice to be corrected and, if appropriate, sanctions applied.

6. Public Interest Disclosure Act 1998

This Act commenced on 2 July 1999 and gives statutory protection, within defined parameters, to employees who make disclosures about a range of subjects, which they believe to be happening within the employing organisation. As a member of COBIS, BBIS recognises the Public Interest Disclosure Act 1998.

The Act has rules for making a protected disclosure:

- you must reasonably believe the disclosure is in the public interest
- you must believe it to be substantially true
- you must not act maliciously or make false allegations

- you must not seek any personal gain

By regulations issued under the Act, the Audit Commission has taken on new responsibilities as a “prescribed person” that involves receiving disclosures from employees when those employees are unable or unwilling to make the disclosure internally.

The Commission, along with their appointed representatives, has the responsibility to ensure that disclosures are properly investigated and will report its findings to the person making the disclosure.

7. Safeguards

Harassment or Victimisation

The 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 alleged malpractice. The school will tolerate harassment or victimisation and will take action to protect an individual when an employee raises a concern.

This does not mean that if an employee is already the subject of disciplinary or redundancy procedures, those procedures will be halted as a result of the whistleblowing.

Anonymous Allegations and Confidentiality

This policy encourages employees to put their name to the allegation. Concerns expressed anonymously are much less capable of being investigated effectively, but they will be considered by the school.

The factors to be taken into account in determining whether to proceed with an anonymous allegation would include the:

- seriousness of the issues raised;
- credibility of the concern; and
- likelihood of confirming the allegation from attributable sources.

It must be appreciated that the investigation process may reveal the source of the information and a statement by the whistle-blower may be required as part of the evidence.

Untrue Allegations

When making an allegation there must be a reasonable belief that the concerns are true, though there is no requirement to provide evidence to prove the allegation. The whistle-blower must be able to show that they believe that disclosing the concern is in the public interest and that it is a reasonable view to hold in the circumstances at the time. Note that it is not the whistle-blower's responsibility to investigate the matter, it is the school's responsibility.

If a whistle-blower makes an allegation that they believe is in the public interest, but it is not confirmed by the investigation, no action will be taken against them.

If, however, the allegation is malicious or vexatious, legal, or disciplinary action may be taken against them.

8. How to raise a concern

This will depend on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice.

Employee concerns should firstly be raised within the school they are employed in.

Contacts

| Contact Position | Contact details | Type of Concern |
|--------------------------|---|---------------------------------------|
| Principal | David Porritt david.porritt@bbis.hu | Staffing |
| Chair of Trustees | Nigel Archdale nigel.archdale@bbis.hu | Principal's duties |
| Human Resources | Tamas Putnoki tamas.putnoki@bbis.hu | Financial or Health and Safety |
| Owner | Petra Szalai petra.szalai@bbis.hu | Legal |

Advice and guidance on how matters of concern may be pursued can be obtained from the same sources.

Whilst the Principal should establish as many details as possible (by discussion with the whistle-blower only) they should formally report the incident to the Chair of Trustees.

Where a concern/multiple concerns is/are raised that contain an element of potential non-compliance with one or more of the school's employment policies, the Principal will liaise with the **Chair of Trustees** to determine who will lead the investigation.

If the concerns are regarding abuse to children, contact should be made with the Safeguarding Children teams as follows:

| | | | |
|--|-----------------|------------------------|---|
| Designated Safeguarding Lead | David Wheatley | Contact details | +353852818495 David.wheatley@bbis.hu |
| Deputy Designated Safeguarding Lead | Jonathan Spinks | Contact details | 06203901020 Jonathan.spinks@bbis.hu |

If there is an immediate risk emergency services should be called on 112 for local Police.

If the whistle-blower is unable to talk to anyone in the school or is not satisfied with the school's response the following external agencies can be contacted:

The Safeguarding Alliance

info@thesafeguardingalliance.org

+442034886940

Concerns are better raised in writing. Whistle-blowers are invited to set out the background and history of the concern, giving names, dates, and places where possible, and the reason why they are particularly concerned about the situation. If they do not feel able to put their concern in writing, telephone numbers are provided as an alternative.

The earlier a concern is disclosed, the easier it is to take action. This is particularly important where the well-being of children may be at risk.

Although a whistle-blower is 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. They do not need evidence just sufficient grounds for concern. Under no circumstances should they investigate a concern, as this may risk prejudicing any investigation, which could include a criminal investigation if it is warranted. Further, this will protect them from any repercussions.

A whistle-blower is entitled to invite their workplace colleague who is not involved in the area of work to which the concern relates or a professional association to assist them in raising a matter.

Details of matters discussed with the contact will be kept confidential.

9. How the school will respond

The action taken by the school will depend on the nature of the concern. The Principal and Chair of the Trustees in conjunction with any other appropriate officer(s) will determine the most appropriate action to be taken. The matter raised may:

- be investigated internally
- be referred to the Police
- be referred to the external Auditor
- form the subject of an independent inquiry

In order to protect individual and the school, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation.

Where contact details have been provided, within ten working days of a concern being received, the Principal or Chair of the Trustees will write to the whistle-blower:

- 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 you whether any initial enquiries have been made, and
- telling you whether further investigations will take place, and if not, why not

In the case of child protection issues, the procedures and guidance by The Safeguarding Alliance or relevant body will be followed. The amount of contact between the employees considering the issues and the whistle-blower 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.

When any meeting is arranged, the whistle-blower will have the right, if they wish, to be accompanied by a workplace colleague who is not involved in the area of work to which the concern relates.

The school will take steps to minimise any difficulties, which may be experienced as a result of raising a concern. For instance, if the whistle-blower is required to give evidence in criminal or disciplinary proceedings, the Trust will advise them about the procedure.

The school accepts that the whistle-blower will need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, they will receive information about the outcomes of any investigations.

10. Low level concerns and concerns that do not meet the harm threshold

The school have policies and processes to deal with concerns (including allegations) which do not meet the harm threshold set out above. Concerns may arise in several ways and from a number of sources. For example, suspicion; complaint; or disclosure made by a child, parent or other adults within or outside of the organisation; or as a result of vetting checks undertaken. We have appropriate policies and processes in place to manage and record any such concerns and take appropriate action to safeguard children.

Low level concerns

As part of our school approach to safeguarding, we ensure that we promote an open and transparent culture in which all concerns about all adults working in or on behalf of the school (including supply teachers, volunteers and contractors) are dealt with promptly and appropriately.

Creating a culture in which all concerns about adults (including allegations that do not meet the harms threshold are shared responsibly and with the right person, recorded and dealt with appropriately, is critical. If implemented correctly, this should encourage an open and transparent culture; enable us to identify concerning, problematic or inappropriate behaviour early; minimise the risk of abuse; and ensure that adults working in or on behalf of the school are clear about professional boundaries and act within these boundaries, and in accordance with the ethos and values of the institution.

Low-level concerns about a member of staff, supply staff, volunteer or contractor should be reported. *If staff have safeguarding concerns or an allegation is made about another member of staff (including supply staff, volunteers, and contractors) posing a risk of harm to children, then this should be referred to the Principal.*

What is a low-level concern?

The term 'low-level' concern does not mean that it is insignificant, it means that the behaviour towards a child does not meet the threshold set out in the paragraph below.

This part of the guidance is about managing cases of allegations that might indicate a person would pose a risk of harm if they continue to work in their present position, or in any capacity with children in the school. This guidance should be followed where it is alleged that anyone working in the school that provides education for children under 18 years of age, including supply teachers, volunteers and contractors has:

- *behaved in a way that has harmed a child, or may have harmed a child and/or;*
- *possibly committed a criminal offence against or related to a child and/or;*
- *behaved towards a child or children in a way that indicates he or she may pose a risk of harm to children; and/or*
- *behaved or may have behaved in a way that indicates they may not be suitable to work with children.*

A low-level concern is any concern – no matter how small, and even if no more than causing a sense of unease or a 'nagging doubt' - that an adult working in or on behalf of the school may have acted in a way that:

1. is inconsistent with the staff code of conduct, including inappropriate conduct outside of work, and
2. does not meet the allegations threshold or is otherwise not considered serious enough to consider a referral to the Safeguarding Alliance for support.

Examples of such behaviour could include, but are not limited to:

- being over-friendly with children;
- having favourites;
- taking photographs of children on their mobile phone;
- engaging with a child on a one-to-one basis in a secluded area or behind a closed door; or,
- using inappropriate sexualised, intimidating, or offensive language.

Such behaviour can exist on a wide spectrum, from the inadvertent or thoughtless, or behaviour that may look to be inappropriate, but might not be in specific circumstances, through to that which is ultimately intended to enable abuse.

It is crucial that any such concerns, including those which do not meet the allegation/harm threshold, are shared responsibly and with the Principal and Chair of the Trustees, and recorded and dealt with appropriately. Ensuring they are dealt with effectively should also protect those working in or on behalf of schools from potential false allegations or misunderstandings.

11. How the matter can be taken further

This policy is intended to provide an employee with an avenue to raise concerns within the school. The school hopes you will be satisfied. If you are not, and if you feel it is right to take the matter outside the school, the following are possible contact points:

- relevant professional bodies or regulatory organisations
- your solicitor
- the Police
- the Trust's External Auditor

If the matter is taken outside of the school, a whistle-blower will need to ensure that they do not disclose information that is privileged to the school and if they are an employee that they do not breach their obligations under the school's Code of Conduct for Employees.

The Code of Conduct for Employees is available for all. Whilst all of the code is important, the paragraph concerning contact with the press and media (including Social Media) is particularly relevant.

12. Support and advice

If the employee/worker wishes to access advice then they may wish to speak to the Public Concern at Work charity via e-mail whistle@pcaw.org.uk or telephone (020 7404 6609).

13. Responsibility

The Director of Human Resources will maintain a record of concerns raised and action taken, which will not endanger the whistle-blowers confidentiality and will be reported as necessary to the school.

The school is committed to preventing occurrences of irregularities. To help achieve this objective there is a clear network of systems and procedures in place.

14. Outcomes

The desirable outcomes of this policy are to:

- support the school's 'zero tolerance' of irregularities
- reassure individuals that there is a safe alternative to silence
- promote the whistle-blower as a witness not complainant
- encourage leaders and managers to be open to concerns
- promote effective compliance
- support the school's Risk Management Strategy.

15. Evaluation

The success of this policy may be assessed by:

- the number of reported incidents of malpractice
- monitoring whether individuals feel able to report occurrences without fear or favour.