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INSTITUTO ESPAÑOL
VICENTE CAÑADA BLANCH

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WHISTLEBLOWING POLICY

including EYFS

This is a whole school policy

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Introduction

Our staff occupy a vital position in promoting good practice and professional conduct throughout the organisation. We recognise that staff are committed to providing a high standard of service and accountability and that young people cannot be expected to raise concerns in an environment where staff fail to do so. All staff are aware of their duty to raise concerns, where they exist, about the management of child protection, which may include the attitude or actions of colleagues. If necessary, they should speak to the Designated Safeguarding Lead or the Local Safeguarding Children Partners.

The Kingdom of Spanish regulates the behaviour and disciplinary measures of its employees through Royal Legislative Decree 5/2015 of 30 October. The School has adopted this policy and the accompanying procedure on whistleblowing in accordance with Spanish and British regulations to enable members of staff to raise concerns internally and in a confidential fashion, that are related to fraud, malpractice, health and safety, criminal offences, miscarriages of justice, non-compliance with legal obligations, inappropriate behaviour and unethical conduct. The policy also provides for such concerns to be raised outside the organisation if necessary.

Elements of the Policy

This policy on whistleblowing is intended to inform that the School:

- will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff;
- respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively;
- will not tolerate malpractice;
- will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
- will invoke disciplinary procedures in the case of false, malicious, vexatious or frivolous allegations.

Procedure

The aim of this procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the School. Malpractice is not easily defined; and may include allegations pertaining to fraud, financial irregularity, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, criminal activity, or failure to comply with a legal obligation, miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment. Employees should not



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use the whistleblowing procedure to raise grievances about their personal employment situation.

Whistleblowing includes raising and passing on concerns about any of the following:

- Poor standards of service.
- Issues of bad practice.
- The conduct of colleagues or managers.
- Anything which is not in the best interest of the young person or the organisation.
- Anything which is illegal or unacceptable behaviour.

Allegations would be referred to behaviours which indicate that an adult who works with children has:

- behaved in a way that has harmed a child, or may have harmed a child;
- possibly committed a criminal offence against or related to a child;
- behaved towards a child or children in away that indicates they may pose a risk of harm to children

Low-level concerns are those -no matter how small, even if no more than 'a nagging doubt' that an adult may have acted in a manner which:

- is not consistent with the organisation's Code of conduct and/or
- relates to their conduct outside of work which, even if not linked to a particular act or omission, has caused a sense of unease about that adult's sustainability to work with children.

Confidentiality

Employees who wish to raise a concern under this procedure are entitled to have the matter treated confidentially and in the knowledge that their name will not be disclosed to the alleged perpetrator of malpractice without prior approval. In order to preserve confidentiality, it may be appropriate that concerns are raised orally rather than in writing, although members of staff are encouraged to express their concern in writing wherever possible.

If there is evidence of criminal activity then the Police and the Spanish Embassy will in all cases be informed.

The Investigation

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A member of staff will be at liberty to express their concern to the Headteacher, the Deputy Headteacher or the DSL. Any concern raised will be investigated thoroughly and in a timely manner, and appropriate action will be pursued. The member of staff making the allegation will be kept informed of progress and, whenever possible (and subject to third party rights) will be informed of the Resolution. A member of staff who is not satisfied that their concern is being properly dealt with will have a right to raise it in confidence with the Consejero de Educación or Inspección Educativa.

Complaints about the Headteacher should be reported to the Spanish Embassy Education Office by email (consejeria.uk@educacion.gob.es) or telephone number 020 7727 2462. The headteacher must not be informed prior to the contact to the Spanish Embassy Education Office and the LADO/Designated Officer, who should be informed within one working day of all allegations that come to an employer's attention or that are made directly to the police.

Concerns may be raised verbally or in writing and should give the background, the nature of the malpractice that is alleged; relevant dates where possible; the reasons for the concern and the names of individuals against whom the allegations are made.

If the concern is raised verbally, then the person receiving the information should put in writing, outlining the matters raised and any relevant details.

Once a concern is raised the receiving manager should report the matter to the Principal who will appoint an appropriate Senior Leader to investigate [the "investigating officer"]. This could be the Deputy Headteacher. The Principal will determine whether the matter constitutes a disclosure or whether it should be dealt with under another procedure [the employee will be informed of this].

The Investigating Officer will then inform the employee in writing of the process to be followed.

The Investigating Officer will also inform any employee against whom allegations are made of the allegations. This will normally be done in writing within ten working days. However this may be delayed if it is likely to jeopardise the investigation.

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Timescales Action	Timescale	By Who
Written acknowledgement of disclosure made in writing or if received verbally, including an outline of process to be followed	Within 10 working days	Person who receives the disclosure – the receiving manager
Confirm in writing to the person complained of that a disclosure has been received and that it is being considered. Outline the process to be followed	Within 10 working days	Person who receives the disclosure – the receiving manager
Confirmation of whether the matter is to be investigated, and if so, how it will be investigated. Letters sent to employee and person complained of.	Within four weeks of receipt of disclosure	Person appointed to investigate – the Investigating Officer
Written confirmation of the outcome of investigation and action to be taken. Report sent to Principal recommendations and determines what action to take. Letters sent to employee and person complained of	Within three months of receipt of disclosure	Person appointed to investigate – the Investigating Officer
Appeal outcome of the investigations	Within five working days from receipt of outcome	Employee who makes the disclosure
Appeal carried out	Within one month of appeal	Manager appointed to hear the appeal
Appeal to Principal	Within five working days from receipt of outcome	Employee subject to the disclosure

External Procedures

Where all internal procedures have been exhausted, a member of staff shall have a right of access to an external person/body. This may include (depending on the subject matter of the disclosure) the Spanish Embassy, the Spanish Inspection, NSPCC and/or the Local Authority Designated Officer (where the disclosure relates to a child protection issue).

Malicious Accusations

False, malicious, vexatious or frivolous accusations will be dealt with under the Royal Legislative Decree 5/2015 of 30 October Disciplinary Procedure.

Protection from Reprisal or Victimisation

No member of staff will suffer a detriment or be disciplined for raising a genuine and legitimate concern, providing that they do so in good faith and following the Whistleblowing procedures.

Low Level Concerns

Instituto Español Vicente Cañada Blanch ensures that all staff are aware of how to recognise and report low level concerns around staff behaviour or conduct.

The term 'low-level' concern does not mean that it is insignificant. 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 or college may have acted in a way that:

- is inconsistent with the staff code of conduct, including inappropriate conduct outside of work and
- does not meet the harm threshold or is otherwise not serious enough to consider a referral to the LADO.



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WHISTLEBLOWING PROCEDURE

THE RIGHT WAY TO DEAL WITH WRONGDOINGS!

