

Whistleblowing Policy - Raising Concerns

Policy Review and Approval

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A copy of this policy and other related policies can be obtained from the School Office.

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Document summary

Whistleblowing is the raising of a concern, either within the workplace or externally, about a danger, risk, malpractice, or wrongdoing which affects the school or others.

This policy provides a clear framework which is intended to give people the confidence to raise workplace concerns without fear of reprisal or victimisation.

Aims

- The public have an expectation that we will run the school with the highest standards of openness and integrity.
- We encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected.
- We let all staff in the school know how to raise concerns about potential wrongdoing in or by the school.
- We set clear procedures for how the school will respond to such concerns.
- We let all staff know the protection available to them if they raise a whistleblowing concern.
- We assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue).

1. Introduction

At one time or another, all of us may experience concerns about what is happening at work. Usually, these concerns are easily resolved. However, when the concern feels serious because it involves possible health and safety, or a person's welfare, malpractice or a wrongdoing that might affect others or the school, it can be difficult to know what to do.

You may be worried about raising such a concern and may think it is best not to say anything, or keep it to yourself, perhaps feeling it is none of your business or that it is only a suspicion. You may feel you would be disloyal to your colleagues, Line Manager, or to the school if you raised it. You may decide to say something but find that you have spoken to the wrong person, you may have raised it before and nothing was done, or you may have raised it in the wrong way and are not sure what to do next.

The public have an expectation that we will run the school with the highest standards of openness and integrity. Furthermore, the Senior Leadership Team (SLT) is committed to running the school in the best way possible and to do so, your help is needed. This Whistleblowing Policy is designed to reassure you that it is safe and acceptable to speak up and raise any workplace concerns you may have and that you are showing loyalty and commitment to the school by raising concerns.

Rather than wait for proof, it is preferred that you raise the matter as early as possible and when it is still a concern. Speaking out early could stop the issue from becoming more serious, dangerous, or damaging.

The Whistleblowing Policy is primarily for concerns where the interests of the school or others are at risk. Therefore, if something is troubling you that you think we should know about and look into, please use this policy.

2. Definition of whistleblowing

Whistleblowing covers concerns made that report wrongdoing that is “in the public interest”. Examples of whistleblowing include (but are not limited to):

- Criminal offences, such as fraud or corruption.
- Students’ or staff health and safety being put in danger.
- Failure to comply with a legal obligation or statutory requirement.
- Breaches of financial management procedures.
- Attempts to cover up the above, or any other wrongdoing in the public interest.
- Damage to the environment.

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the school count as whistleblowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistleblowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

When staff have a concern, they should consider whether it would be better to follow our Staff Grievance and Workplace Conflict Policy or the Complaints Policy and Procedure.

Protect (formerly Public Concern at Work) has [further guidance](#) on the difference between a whistleblowing concern and a grievance that staff may find useful if unsure, and a free and confidential advice line at protect-advice.org.uk/contact-protect-advice-line/

3. Who does this Whistleblowing Policy apply to?

This Whistleblowing Policy applies to all Gildredge House employees whether full-time or part-time.

In addition, the Whistleblowing Policy applies to Governors and Trustees, all contractors and their staff working for the school e.g. agency staff, consultants and builders. It also applies to providers of works, services and supplies, including the school’s external contractors and those providing services under a contract with the school in their own premises.

4. Our assurances to you

The SLT are committed to this Whistleblowing Policy. If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering from any form of retribution as a result. Providing you are acting honestly and in good faith, it does not matter if you are mistaken. Of course, this assurance is not extended to someone who maliciously raises a matter they know not to be true.

With these assurances, we hope that you will raise your concern openly. However, we do recognise that there may be circumstances when you would prefer to speak to someone in confidence first. If this is the case, please say so at the outset. If you ask us not to disclose your identity, we will not do so without your consent unless required to do so by law. Please understand that there may be times when we are unable to resolve a concern without revealing your identity and in such cases, we will discuss this, and how best to proceed, with you.

Please remember that if you do not tell us who you are (by reporting concerns anonymously), it will be much more difficult for us to look into the matter. We will also not be able to protect your position or provide feedback.

If you are unsure about raising a concern, you can get independent advice from the independent whistleblowing charity Protect (see contact details in Section 12).

5. What kind of concerns would I disclose under this Whistleblowing Policy?

This Whistleblowing Policy covers any serious concerns about any aspect of provision or the conduct of employees or others acting on behalf of the school. This could be something against school policy; that falls below established standards of practice; or which relates to improper conduct or criminal activity (including fraud).

Concerns that fall within this Whistleblowing Policy could include, but are not limited to:

- practice that puts people or the school at risk;
- a criminal offence has been committed, is being committed, or is likely to be committed;
- failure or likely failure to comply with any legal obligations or statutory requirement;
- health and safety risks, including risks to the public;
- damage to the environment;
- something that is against school policies;
- information relating to any of these concerns that is being or is likely to be deliberately concealed; and
- weaknesses in procedure(s) that could put the school or people at risk.

This list is not exhaustive and even if your concern does not fall into any of the categories above, you are encouraged to raise it.

Please note that the Staff Grievance and Workplace Conflict Policy exists to enable you to lodge a grievance relating to any matter concerning your own employment or how you have been treated that you are unhappy about. It is very important that the Whistleblowing Policy is not used to raise individual grievances, and nor is it to be a mechanism for challenging decisions, practices and policies with which you disagree.

Not all concerns count as whistleblowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistleblowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

Protect (formerly Public Concern at Work) has:

- [Further guidance](#) on the difference between a whistleblowing concern and a grievance that staff may find useful if unsure; and
- A free and confidential [advice line](#).

6. Who to report to?

Please remember that you do not have to have firm evidence before raising a concern. You only need to have a reasonable belief that wrongdoing is taking place. Any evidence you can provide will be useful in helping the school investigate your concern, although it could be that you are not able to provide any evidence. We do ask that you explain as fully as you can the information or circumstances that gave rise to your concern.

Please raise your concern(s), either orally or in writing, to your immediate Line Manager or the Executive Head Teacher. It is your choice as to how you raise a concern. You may wish to communicate via email, over the phone, or arrange a meeting away from the workplace.

Employees whose concerns relate to the Executive Head Teacher may wish to approach the Chair of Governors.

7. How do I raise a concern?

To allow us to investigate and assess the situation it would be helpful to provide as much information as possible. Concerns should be made in writing wherever possible. They should also include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter. We encourage you to put your name to allegations, as anonymous concerns are more difficult to investigate, and we want to be able to take any appropriate action to protect you and provide you with feedback.

8. How will the school respond?

Once you have told us your concern, we will assess it and consider what action may be appropriate. This may involve a formal review, an internal enquiry, or a more formal investigation. We will tell you who will be your point of contact, what further assistance we may need from you, and agree a timetable for feedback. If you ask, we will write to you summarising your concern and setting out how we propose to handle it. If we have misunderstood the concern or if there is any information missing, please let us know.

When you raise the concern, it will be helpful to know how you think the matter might be best resolved. If you have any personal interest in the matter, we do ask that you tell us at the outset. If we think your concern falls within our Staff Grievance and Workplace Conflict Policy or another relevant policy, we will let you know.

Regardless of what action may be appropriate in resolving your concern, we will not tolerate victimisation or harassment and will take all necessary steps to protect you from any detriment.

Wherever possible, we will give you feedback on the outcome of any investigation. Please note, however, that we might not be able to tell you about the precise actions we take where this would infringe the duty of confidence we owe to other individuals.

While we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle the matter fairly and properly. By using this Whistleblowing Policy, you will help us to achieve this.

9. Actions requested of the Whistleblower

The purpose of this policy is to enable individuals to raise concerns in confidence, without any fear of reprisal; therefore, it is imperative that whistleblowers:

- Do not talk about the concern outside the school unless it is to report the concern through the proper external channels e.g. the LADO or the Police; and
- Declare any personal interest in the matter, as the policy is designed to be used in the interest of the public and not for individual matters.

10. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the school will consider whether any disciplinary action is appropriate against the person making the allegation.

11. Data protection

When responding to a concern raised under this Whistleblowing Policy, we will ensure your personal data is handled in accordance with all relevant data protection legislation, and as described in our Privacy Notice: School Workforce, a copy of which is available on the school website.

We will not routinely disclose any information about you without your express permission. However, there are circumstances where we must or can share information about you owing to a legal/statutory obligation, for example, in order to prevent or detect a crime.

Any disclosures of personal data are always made on case-by-case basis, using the minimum personal data necessary for the specific purpose and circumstances and with the appropriate security controls in place. Information is only shared with those agencies and bodies who have a 'need to know' or where you have consented to the disclosure of your personal data to such persons.

12. Escalating concerns beyond the school

It is hoped that this policy gives you the reassurance to raise matters internally within the school. Whilst we would prefer you to raise your concern internally, we do recognise that there may be circumstances where you may wish to raise matters with outside organisations or regulators. In fact, we would rather you raised a matter with an appropriate outside organisation or regulator than not raise it at all. A list of prescribed bodies to whom staff can raise concerns with is included [here](#).

The Protect advice line, linked to in Section 5 of this policy, can also help staff when deciding whether to raise the concern to an external party.

If you are unsure whether to use this Whistleblowing Policy or you want confidential advice at any stage, you may contact the whistleblowing helpline for the independent charity, Protect, on 020 3117 2520, or via email at whistle@protect-advice.org.uk