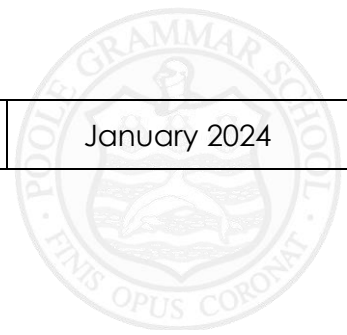


Poole Grammar School	Policy – Mandatory	Version 6	January 2024
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Whistle-Blowing Policy

CONTENTS

1. Introduction
2. Aims and scope of this policy
3. Legislation
4. Definition of whistle-blowing
5. Procedure for staff to raise a whistle-blowing concern
6. Investigating a concern
7. Safeguards
8. Malicious or vexatious allegations
9. Escalating concerns beyond the school
10. Links with other policies
11. Equality Impact Assessment (EQIA)

1. Introduction

Employees are often the first to realise that there may be something seriously wrong within the school. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues, the school or to the Governors. 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 suspicion of malpractice.

The Governing Body, is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, the Governing Body would wish to encourage employees and others with serious 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. This Whistle-Blowing Policy is intended to encourage and enable employees to raise concerns within the school rather than overlooking a problem or blowing the whistle outside.

2. Aims and scope of this policy

This policy aims to:

- 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
- Let all staff in the school know how to raise concerns about potential wrongdoing in or by the school
- Set clear procedures for how the school will respond to such concerns
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- 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)

This policy does not form part of any employee's contract of employment and may be amended at any time. This procedure is for disclosures about matters other than a breach of the employee's own contract of employment. Such concerns should be raised under the grievance procedure. The policy applies to all employees or other workers who provide services to the school in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

3. Legislation

The requirement to have clear whistle-blowing procedures in place is set out in the [Academy Trust Handbook](#).

This policy has been written in line with the above document, as well as [government guidance on whistle-blowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

The Public Interest Disclosure Act 1998 (by way of amendment to the Employment Rights Act 1996) is designed to provide protection to workers who raise genuine concerns about specified matters. These are known as "qualifying disclosures". Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest". Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Students' or staffs' 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

4. Definition of whistle-blowing

A whistle-blower is a person who raises a genuine concern relating to the above. A worker who makes a qualifying disclosure has the right not to be dismissed, subjected to any other detriment or victimised because he/she has made the disclosure. A zero tolerance approach will be taken to any act of harassment or victimisation resulting from a member of staff raising a concern in good faith. A member of staff making an allegation within the scope of this policy will be supported when raising a concern, providing that he/she:

- Believes the concern to be true;
- Is not acting maliciously or making false allegations;
- Is not seeking any personal gain

Not all concerns about the school count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. When staff have a concern they should consider whether it would be better to follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work (<https://protect-advice.org.uk/>) has:

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

5. Procedure for staff to raise a whistle-blowing concern

When to raise a concern

Staff should consider the examples in section 4 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or school procedures, put people in danger or was an attempt to cover any such activity up.

Who to report to

As a first step, a member of staff should normally raise concerns with his/her immediate line manager, the Headteacher or the Designated Safeguarding Lead (DSL) where this is appropriate to the nature of the concern. If the concerns relate to allegations that a member of staff or volunteer may have harmed a child or behaved in a way that indicates he/she poses a risk of harm to children, the allegation should be raised with the Headteacher in the first instance, in accordance with the school's child protection and safeguarding policy. Where the allegations involve the Headteacher, the member of staff should raise the matter with the Chair of the Governing Body. If the concern is about the Headteacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Chair of Governors.

How to raise the concern

Concerns may be raised verbally or in writing, but the earlier the concern is expressed the easier it is to take any required action. The concerns should include names of those committing wrongdoing, dates, places and as much evidence and context as possible, raising a concern should also include details of any personal interest in the matter. Staff Where a concern is raised verbally, the person hearing it must ensure that a written statement of it is made to assist with any subsequent investigation. Senior management will take all concerns raised within the scope of this policy seriously and identify the appropriate level of investigation, taking external advice as necessary. The concerns raised will be treated in confidence, whilst recognising that the individual raising the concerns may need to come forward as a witness at a later date.

The whistleblower may invite a recognised trade union representative or a work colleague to be present during any meetings or interviews held in connection with the concerns raised.

If a worker requests that their identity be protected, it will not be disclosed unless disclosure is reasonably required by law. Whilst anonymous reports will not be rejected outright, those making them must be aware that it is considerably more difficult to investigate matters properly in such circumstances or to resolve the concern satisfactorily.

While members of staff are encouraged to raise their concerns internally, it is also recognised that some staff may feel unable to do this and that they may therefore wish to contact an independent, external organisation (see section 6).

6. Investigating a concern

Investigating the concern

When a concern is received by a line manager, the Headteacher or the Designated Safeguarding Lead (DSL)- referred to from here as the 'recipient' - they will:

- Write to the employee who has raised the concern within 10 working days, acknowledging that the concern has been raised and to outline the next steps
- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative
- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 8 of this policy)
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
 - The recipient should then arrange a further investigation into the matter, involving the Headteacher and/or Chair of Governors, if appropriate. In some cases, they may need to bring in an external, independent body to investigate. In other cases, they may need to report the matter to the police
- The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps
- Written records will be taken throughout the investigation and the employee will be kept informed of the likely timescale and progress of the investigation. The investigator will be responsible, where possible within 28 days, for reporting formally to the Headteacher and/or Governing Body on the outcome of the investigation. The Headteacher and/or Governing Body will be responsible for
- Taking any necessary action, which may include reporting the matter – as relevant – to the local authority, appropriate government department, regulatory agency or the police, and/or taking action under internal procedures (e.g. disciplinary or bullying and harassment).

Outcome of the investigation

Once the investigation is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the headteacher, governors and other staff if necessary will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

7. Safeguards

Harassment or Victimisation

The Governing Body will not tolerate harassment or victimisation and will take action to protect employees when they raise a concern in good faith. This does not mean that if employees are already subject to disciplinary or redundancy procedures, that those procedures will be halted as a result of their whistle-blowing.

Confidentiality

The Governing Body will do its best to protect the identity of an employee when he/she raises a concern and does not want his/her name to be disclosed. It must be appreciated that the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence.

Anonymous Allegations

This policy encourages an employee to put his/her name to an allegation. Concerns expressed anonymously are much less capable of being actioned effectively, but they will be considered at the discretion of the Governing Body.

In exercising the discretion, the factors to be taken into account would include:

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

8. 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.

9. Escalating concerns beyond the school

All staff are encouraged to make use of the internal procedure before considering referring concerns to outside organisations. If the member of staff feels that it is right to take the matter externally, contact can be made with a recognised trade union, local Citizens Advice, relevant voluntary or independent organisation or legal advisor. The Public Interest Disclosure Act also sets out a number of bodies to which protected disclosures can be made, including HM Revenue & Customs, the Health and Safety Executive and the Serious Fraud Office. Employees should be aware that going directly to the media may limit their protection under the Public Interest Disclosure Act and they could therefore be subject to disciplinary action as a result.

An employee considering such a course of action is strongly advised to seek prior advice from their trade union or an independent organisation such as Public Concern at Work (www.pcaaw.co.uk).

Monitoring & Reporting

The [Chair of Governors] is the Responsible Officer and has overall responsibility for overseeing the operation of this policy and for ensuring that appropriate records are maintained of genuine concerns raised and the outcomes. The Chair will report as necessary to the Governing Body and to other outside agencies as required.

Data Protection

When an individual makes a disclosure, the [School] will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

Status of Policy and Review

The content and operation of this policy is reviewed as and when deemed necessary by the Governing Body. The policy is discretionary and does not confer any contractual rights.

10. Links with other policies

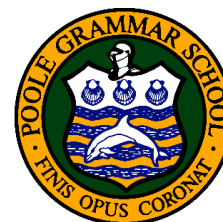
This policy links with our policies on:

- Staff grievance policy
- Complaints procedure
- Child protection policy
- Staff Code of Conduct

Reviewed by	Date of Review / approval	Review cycle	Next Review Date	Statutory / Non statutory	Website
Headteacher	January 2024	3 years	January 2027	Statutory	Yes

11. Equality Impact Assessment (EQIA)

Document Name: Whistle-Blowing Policy



1. Title of document/service for assessment	Whistle Blowing Policy
2. Date of assessment	18/01/2024
3. Date for review	18/01/2027
4. Directorate/Service	Governance
5. Approval	Headteacher

	Yes/No	Rationale
6. Does the document/service affect one group less or more favourably than another on the basis of:		
• Race	No	
• Gender (including transgender)	No	
• Religion or belief	No	
• Sexual orientation, to include heterosexual, lesbian, gay and bisexual people	No	
• Age	No	
• Disability – learning disabilities, physical disabilities, sensory impairment and mental health issues	No	
• Marriage and Civil Partnership	No	
• Pregnancy and Maternity	No	
7. Does this document affect an individual's human rights?	No	
8. If you have identified potential discrimination, are the exceptions valid, legal and/or justified?	N/A	

9. If the answers to any of the above questions is 'yes' then:	Tick	Rationale
Demonstrate that such a disadvantage or advantage can be justified or is valid	N/A	
Adjust the policy to remove disadvantage identified or better promote equality	N/A	
If neither of the above possible, submit to Diversity Committee for review	N/A	