

Poole Grammar School	Policy Recommended	PGS/P/65 A
Whistle-Blowing Policy		Issue 5
		October 2021

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1. INTRODUCTION

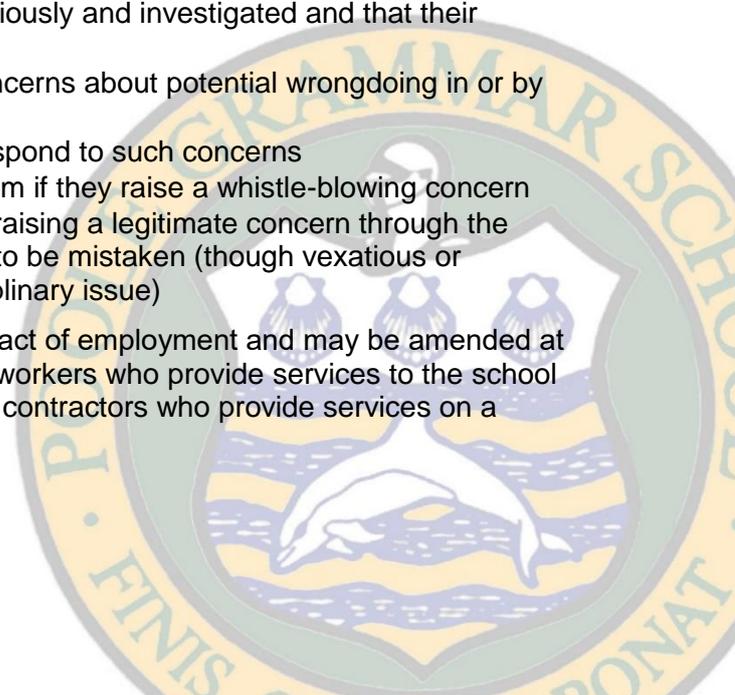
- 1.1 Employees are often the first to realise that there may be something seriously wrong within the school. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues, the school or to the Governors. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be suspicion of malpractice.
- 1.2 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 serious 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. 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](#).

This policy has due regard for the Equality Act 2010 whereby the policy's actions advance equality of opportunity, foster good relations and seek to eliminate discrimination for all members of the school community.

4. DEFINITION OF WHISTLE-BLOWING

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
- 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 whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. 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 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](#)

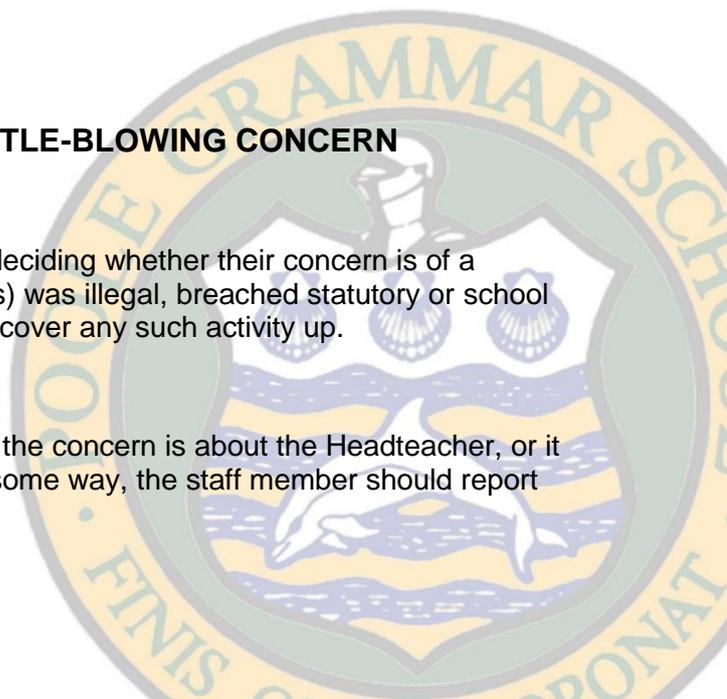
5. PROCEDURE FOR STAFF TO RAISE A WHISTLE-BLOWING CONCERN

5.1 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.

5.2 Who to report to

Staff should report their concern to the Headteacher. 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.



5.3 How to raise the concern

Concerns should be made in writing wherever possible. They should 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.

6. INVESTIGATING A CONCERN

6.1 Investigating the concern

When a concern is received by the Headteacher - 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

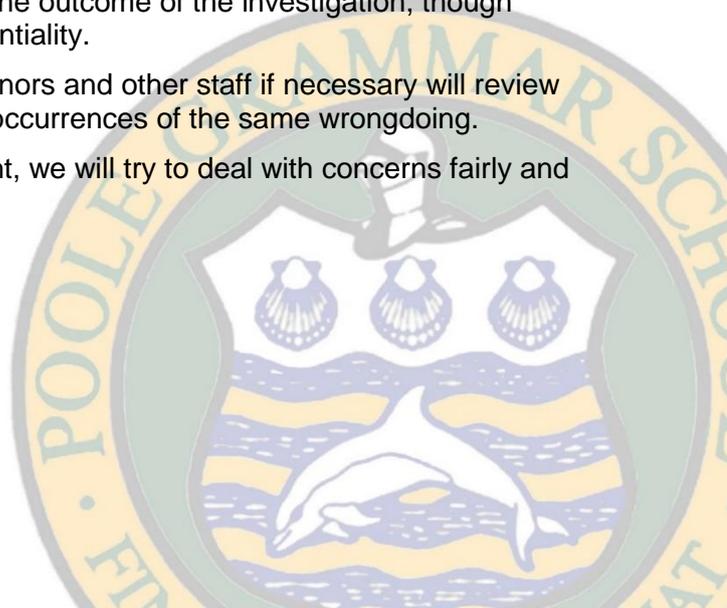
6.2 Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – 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.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.



7 SAFEGUARDS

Harassment or Victimisation

- 7.1 The Governing Body recognises that the decision to report a concern can be a difficult one to make, not least because of fear of reprisal from those responsible for the malpractice. The Governing Body will not tolerate harassment or victimisation and will take action to protect employees when they raise a concern in good faith.
- 7.2 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

- 7.3 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

- 7.4 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.
- 7.5 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

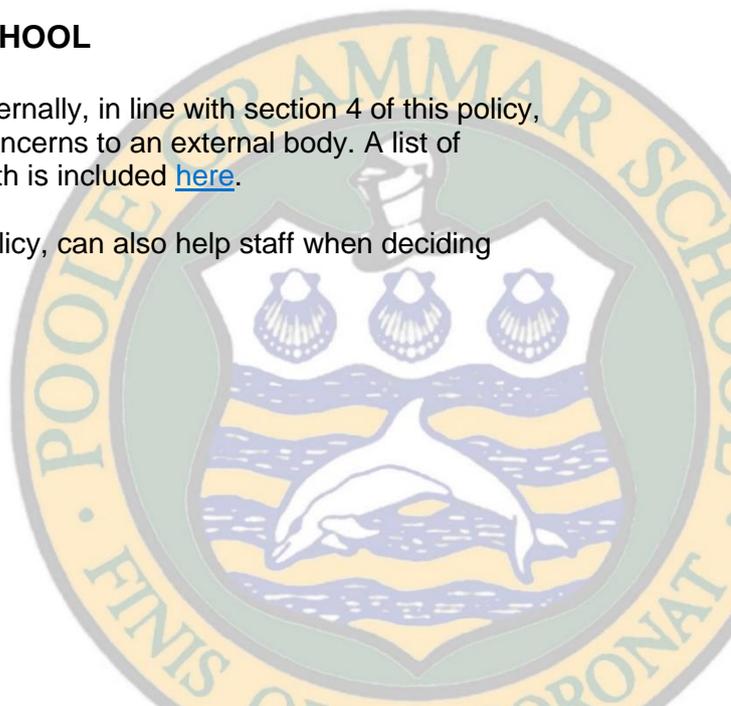
Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

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

The school encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included [here](#).

The Protect advice line, linked to in section 3 of this policy, can also help staff when deciding whether to raise the concern to an external party.



10. LINKS WITH OTHER POLICIES

This policy links with our policies on:

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

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