



# **Pate's Grammar School Policy**

## **Whistleblowing**

**Approved by: People and Wellbeing Date: Nov 2021**

**Last reviewed on: Nov 2022**

**Next review due by: Nov 2024**

## Whistleblowing

The School has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, criminal offences, miscarriages of justice, and failure to comply with legal obligations, inappropriate behaviour or unethical conduct. The policy also provides if necessary, for such concerns to be raised outside the organisation.

### About this Policy

The School is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.

The School's policy on whistleblowing is intended to demonstrate that it:-

- will not tolerate malpractice;
- 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 provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
- will invoke the School's disciplinary procedure in the case of false, malicious, vexatious or frivolous allegations; and
- will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff.

### Procedure

This procedure is separate from the School's adopted procedures regarding grievances. Individuals should not use the whistleblowing procedure to raise grievances about their personal employment situation. If you are uncertain whether something is within the scope of this procedure you should seek advice from the Head Master or the Bursar.

This procedure is to enable workers to express a legitimate concern regarding suspected malpractice within the School.

Malpractice is not easily defined; however, it includes allegations of fraud, financial irregularities, corruption, bribery, dishonesty, acting contrary to the staff code of ethics, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment.

If your concerns relate to an allegation of abuse made against a member of staff please refer instead to the Schools 'Allegations Against Staff Policy.'

A whistleblower is a person who raises a genuine concern relating to suspected malpractice within the School. If you have any genuine concerns related to suspected malpractice affecting any of the Schools activities (a whistleblowing concern) you should report it under this procedure.

If staff and volunteers feel unable to raise an issue with the School or feel that their genuine concerns are not being addressed, they may use other whistleblowing channels, such as:

- Protect (an independent whistleblowing charity) (helpline: (020) 3117 2520, email: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk), website: [www.protect-advice.org.uk](http://www.protect-advice.org.uk)); or
- the NSPCC whistleblowing helpline (tel: 0800 028 0285 or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)).

### **Confidentiality**

We hope that staff will feel able to voice whistleblowing concerns openly under this procedure. However, if you wish to raise a concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating the concern to know your identity, this will be discussed with you.

If there is evidence of criminal activity then the Police will in all cases be informed. We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should discuss this with the Head Master or Bursar and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are set out above.

### **Raising a Whistleblowing concern**

You will be at liberty to express your concern to either:

- the Head Master or a member of Senior Leadership Team; or
- the Chair or Vice Chair of Governors.

A meeting will be arranged with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this procedure. Your companion must respect the confidentiality of your disclosure and any subsequent investigation. You may be required to attend additional meetings in order to provide further information as the concerns raised are investigated.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. You will be kept informed of progress and, whenever possible and subject to third party rights, will be informed of the resolution. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If you are not satisfied that your concern is being properly dealt with you will have a right to raise it in confidence with the Chair of Governors.

### **External Procedures**

Where all internal procedures have been exhausted, a worker shall have a right of access to an external person/body. This may include (depending on the subject matter of the disclosure) HMRC, the Audit Commission, the Health and Safety Executive and/or the Local Authority Designated Officer (where the disclosure relates to a child protection issue).

It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a worker may be entitled to raise a concern directly with an external body where they reasonably believe:-

- That exceptionally serious circumstances justify it;
- That the School would conceal or destroy the relevant evidence;
- Where they believe they would be victimised by the School;
- Where the Secretary of State has ordered it.

### **Malicious Accusations**

False, malicious, vexatious or frivolous accusations will be dealt with under the School's 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, provided that they do so in good faith and following the Whistleblowing Procedure.