



Whistle Blowing policy

1. Introduction and background

Schools and Local Authorities are covered by the Public Interest Disclosure Act 1998, the purpose of which is to “..... protect individuals who make certain disclosures in the public interest; to allow such individuals to bring action in respect of victimisation; and for commercial purposes”.

In the first report of his Committee on Standards in Public Life, published in May 1995, Lord Nolan set out what he called “The Seven Principles of Public Life”, often described as “the Nolan Principles”. These principles – selflessness, integrity, accountability, openness, honesty, objectivity and leadership - apply to all aspects of public life.

Lord Nolan noted that “*local public spending bodies should institute codes of practice on whistle blowing, appropriate to their circumstances, which would enable concerns to be raised confidentially inside and, if necessary, outside the organisation*”. The term ‘whistle blowing’ was used to mean the confidential raising of problems or concerns within an organisation, or any associated body, and not in a sense of leaking information or telling tales.

Langley Grammar School is committed to safeguarding and promoting the welfare of its students and encourages an open and supportive culture. The staff and governors of Langley Grammar School seek to run all aspects of school business and activity with high standards of conduct and integrity. If members of staff, parents, governors or the school community at large become aware of activities which give cause for concern, this whistle blowing policy acts as a framework to allow concerns to be raised confidentially; it also provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion under the school’s disciplinary procedure.

In promoting an ethos of openness, honesty and integrity, the School will proactively tackle fraud and other forms of malpractice and will treat these issues seriously. The School recognises that some concerns may be extremely sensitive and allows for the confidential raising of concerns within the school environment and also through an external party outside the management structure of the School. Under its Safeguarding procedures, the School has a duty of care to protect all students who may be considered to be unsafe or at risk. This policy therefore explains the process that any member of staff should follow if s/he has concerns that the practice of any adult within the school community may be harming students, or putting them at risk of harm.

2. Appropriate circumstances for whistle blowing

Langley Grammar School acknowledges that a member of staff who believes that there may be something seriously wrong within the School may also feel worried about raising such issues because they consider them to be none of their business, or that there are only suspicions. Members of staff may decide to say something but find that they have not spoken to the correct person, or have raised the issue in the wrong way and are not sure what to do next. It is worth remembering that professional bodies, such as Trade Unions, professional organisations or regulatory bodies can also provide advice and guidance in this matter.

Individuals are therefore encouraged to come forward in good faith with genuine concerns knowing they will be taken seriously. A ‘whistle blower’ should ask themselves some questions to clarify the nature of their concerns before taking action:

- Is the action about which they are concerned known or believed to be illegal?
- Is their concern linked to potential or suspected harm of a student or child?
- Is the action known or believed to be against codes of practice issued by the School, the Local Authority, the Department for Education (DfE) or a professional body?
- Does the action about which they are concerned contradict what they believe to be the correct policy or practice?

- Is the concern about an individual's behaviour or is it about general working practices?
- Do they have reasonable foundation for their concern?

Examples of issues which would fall within the scope of this policy include:

- Manipulation of accounting records and finances.
- Inappropriate use of school assets or funds.
- Decision making for personal gain.
- Any criminal activity.
- Damage to the environment of the school, to property belonging to the School or to a member of the school community.
- Dangerous practices.
- Child protection issues including sexual, emotional or physical abuse of students or others.
- Abuse of position, for example workplace bullying.
- Fraud and deceit or corrupt practices.
- Serious breaches of school procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest).
- Other unethical or unprofessional conduct, including the circulation of inappropriate e-mails.
- Suppressing or concealing information about any of the issues listed above.

A 'whistleblower' is a person who raises a genuine concern in good faith relating to any of the above. This policy should not be used for complaints relating to a member of staff's own personal circumstances, such as the way they have been treated at work; in such cases the Grievance Policy should be followed.

If members of staff are uncertain whether something is within the scope of this policy they should seek advice from the Headteacher.

They can also seek advice from the independent whistleblowing charity Protect – *formerly Public Concern at Work* - who offer a confidential helpline. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Their contact details are:

Helpline: 020 3117 2520 E-mail: whistle@protect-advice.org.uk Website: www.pcaw.co.uk

3. Confidentiality

Whistle blowers are encouraged to put their name to an allegation when reporting it. Where confidentiality is requested, every effort will be made to protect the identity of the person expressing the concern. The identity of the whistle blower will not be disclosed to the person who is the subject of the concern, nor to others not involved in the investigation, unless it is absolutely necessary to do so and then only with the prior consent of the individual concerned.

There are, however, circumstances under which it may be difficult to maintain complete confidentiality, for example:

- If the matter leads to a legal procedure and evidence is required by a court.
- If the issue raised comes within the remit of another school procedure and the whistle blower is asked to provide a signed statement as part of the evidence, thus revealing their identity.

Anonymous allegations will only be considered if the issues raised are:

- a) very serious,
- b) the credibility of the allegation is considered to be high, and
- c) the likelihood of confirming the allegation is high.

Wherever possible Langley Grammar School will seek to respect the confidentiality and anonymity of the whistle blower and will, as far as possible, protect him/her from reprisals. The School will not tolerate any attempt to harass or victimise the whistle blower, or any attempts to prevent concerns being raised; in such circumstances the School will consider any necessary disciplinary action deemed to be appropriate.

4. Monitoring and review

The headteacher will be responsible for monitoring the implementation and effectiveness of this policy. It will be reviewed by the governing body as necessary.

Approved by the Governing Body on: 11 December 2018

Review date: December 2020

Annex – Whistle blowing procedure

Stage 1

- As the first step, you should normally raise the matter with an appropriate level of line management; this would normally be your own line manager.
- However, where the matter is more serious, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact the Headteacher. If your concern is about the Headteacher, you should contact the Chair of Governors directly.
- If your concern is about the conduct of a Governor, you should contact the Headteacher. Concerns against will be treated in the same way as any other concern and will receive the same serious consideration. The concern will be raised by the Headteacher with the Chairman of Governors who will decide how it should be dealt with. If the concern is about the Chair of Governors, then the Headteacher will seek external advice on how to deal with the issue.
- Concerns may be raised verbally but it is preferable for an allegation to be set out in writing. An allegation may also be made in a phone conversation. Whatever method is used, it is important that when the concern is raised, you make it clear that the issue is being raised under the whistle blowing policy.
- If the allegation is written, you should set out the background and history, giving names, dates and places wherever possible, together with the reasons why the situation is a cause for concern. You should date and sign this statement.
- If the allegation is made verbally, you can invite a friend or representative of a trade union/professional association to be present. It is also possible for a trade union or professional association representative to raise the matter on your behalf. If you have raised the issue verbally, you will subsequently be asked to put your concerns into a written statement, which you should date and sign.
- If you wish to raise the concern confidentially, this must be made clear to the person who is initially contacted.
- You will be told what steps the line manager intends to take to address the concern. He/she may be able to take the appropriate steps to investigate the matter raised; alternatively, he/she may refer the matter to a member of the Senior Leadership Team, the Headteacher or to the Chair of Governors.
- Where concerns have been raised with, or passed to, the Headteacher or Chair of Governors, they should contact you within five working days to arrange to meet to discuss the matter with you. A friend or trade union/professional association representative may accompany you for the purposes of giving support. Notes will be taken of the details of the concern and you will be asked to sign a copy of these notes as an accurate record of the discussion.
- Depending on the gravity of the allegation, the Headteacher will take appropriate action. This may involve appointing an Investigating Officer to carry out an internal investigation under the school's Disciplinary Policy or procedure for handling allegations about members of staff; depending on the seriousness of the allegation it may also involve consulting with an external agency. There is a clearly set out procedure for handling allegations against members of staff, under which the Headteacher has a duty to inform the Local Authority Designated Officer.
- You will be informed of the progress of any investigation and told if continued confidentiality becomes an issue. When the matter has been fully investigated and a conclusion reached, a formal written response will be sent to you.

Stage 2

- If you are dissatisfied with the School's response, you can raise the matter within 10 working days of the date of the response by writing to the Headteacher or Chair of Governors.

- The Headteacher or Chair of Governors will arrange a meeting to discuss the continuing concerns and why you are dissatisfied with the outcome of Stage 1. This meeting should take place promptly; again, you may be accompanied by a friend or representative of your trade union/professional association.
- The Headteacher or Chair of Governors may then decide to investigate further and will need to decide what action to take. You will be updated with the outcome of the meeting, normally within five working days.

Stage 3

- If you are dissatisfied with the outcome of stage 2, you may opt to take the matter to Stage 3, by raising the matter externally with any of the prescribed people or bodies recommended in the Department for Business, Innovation & Skills publication 'Whistleblowing: list of prescribed people and bodies' available at <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies-2> . This should be within 10 working days of the date of the decision letter at stage 2.
- The law recognises that in some circumstances it may be appropriate for Staff to report their concerns to an external body. It will very rarely if ever be appropriate to alert the media. You are strongly encouraged to seek advice before reporting a concern to anyone external.
- In taking your concern outside the school, you should ensure that, as far as possible, the matter is raised without confidential information being divulged.

As a whistleblower, you are protected by law from dismissal, harassment, bullying or other detriment by your employer or other members of staff with whom you work. If this occurs, you have the right to take your case to an employment tribunal.