



WILSON'S SCHOOL WHISTLEBLOWING POLICY STATEMENT

Date approved by governors: March 2020

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1. AIM

1.1 The Governing Body of Wilson's School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees who have serious concerns about wrongdoing in any aspect of the School's work to come forward and voice those concerns rather than overlooking a problem or "blowing the whistle" outside.

1.2 Employees can report concerns without fear of victimisation, subsequent discrimination or disadvantage and in the knowledge that any issue raised will be investigated promptly. All disclosures made will be dealt with appropriately, consistently, fairly and professionally.

This policy aims to:

- Encourage all members of staff to feel confident and supported in raising serious concerns of wrongdoing and to question and act upon concerns about practice;
- Set out the procedure for staff to follow if they want to make a disclosure;
- Undertake to protect the identity of an employee making a disclosure, unless required by law to reveal it and to offer support throughout with access to mentoring, advice and counselling;
- Ensure that feedback is provided to the employee who made the disclosure where possible and appropriate subject to other legal requirements. Feedback should include an indication of timings for any actions or next steps;
- Reassure employees that they are safe to make a disclosure in good faith and based on a reasonable belief in the knowledge that they will not face any detriment from the School as a result of speaking up.

2. SCOPE

2.1 There are existing procedures in place to enable staff to lodge a grievance relating to their own employment. This reporting policy is intended to cover major concerns of wrongdoing where the employee reasonably believes that they are acting in the public interest and that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:

- Conduct which is a criminal offence or a breach of the law (e.g. financial impropriety such as fraud)
- Systemic or procedural failures leading to an inadequate quality of child welfare
- Miscarriages of justice
- Endangering of someone's health and safety
- Damage to the environment
- The unauthorised use of public funds
- Covering up wrongdoing in the above categories.

2.2 There are existing reporting procedures in place to enable staff to report concerns about the behaviour of an individual person relating to child protection and safeguarding.

3. SAFEGUARDS – HARASSMENT OR VICTIMISATION

The Governing Body are committed to good practice and high standards and want to be supportive of employees; they recognise that the decision to report a concern can be a difficult one to make. If a member of staff honestly and reasonably believes what they are saying is true, they should have nothing to fear because they will be doing their duty to the school and their colleagues. The Governing Body will not tolerate any detrimental treatment, harassment or

victimisation (including any informal pressures) and will take appropriate action to protect staff members when they raise a concern in good faith.

4. CONFIDENTIALITY

All reasonable steps will be taken to maintain the confidentiality of the whistleblower where it is requested (unless it is required by law to break that confidentiality). All concerns will be treated in confidence, subject to the involvement of appropriate personnel in the investigation of the concern. A member of staff may raise their concern directly with the Chair of Governors who will deal with the issue with discretion and will not reveal the identity of the member of staff without their express consent to do so. Whistleblowers should be aware that, regardless of the steps taken to preserve confidentiality, there is always the risk that colleagues may speculate about who has raised the concern.

5. ANONYMOUS ALLEGATIONS

This policy encourages whistleblowers to put their name to their allegation whenever possible. Concerns expressed anonymously are much less powerful but they may be considered at the discretion of either the Head or the Chair of Governors, depending on the nature of the allegations. In exercising this discretion the factors to be taken into account would include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources.

Anonymous whistleblowers will not ordinarily be able to receive feedback and any action taken to look into a disclosure raised anonymously could be limited.

6. UNTRUE ALLEGATIONS

Some concerns raised may, when investigated, prove to be groundless. If a concern is raised or an allegation made in good faith by someone reasonably believing it to be true and their concerns are not confirmed by investigation they should have nothing to fear as the school will recognise their genuine motives. However, it needs to be stated, should someone make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

7. HOW TO RAISE A CONCERN

7.1 As a first step, members of staff should normally raise concerns with their immediate line manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the wrongdoing. If that is not appropriate because the first point of contact is the person about whom the concerns relate or because of the seriousness of the issue or if no action has been taken, members of staff should raise their concerns with the Head or if that is not appropriate with the Chair of Governors via the Clerk.

7.2 Members of staff should feel able to make any disclosure within the School however if this is not possible an employee can, without losing their rights under whistleblowing law, make a disclosure to a prescribed person or body. The relevant prescribed person or body depends on the subject matter of the disclosure and a complete list can be found here:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/510962/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf

7.3 Concerns may be raised verbally or in writing. The earlier a disclosure is made, the easier it is to take action. The notification will need to provide the background and history of the concern

(giving relevant dates and as much detail as possible). The whistleblower will need to state clearly whether they wish to be identified or not.

7.4 Although the employee is not expected to prove beyond doubt the truth of the suspicion or provide evidence for the issue to be investigated further, they will need to demonstrate to the person contacted that there are reasonable grounds for their concern.

7.5 It is recognised that making a disclosure can be a difficult or anxious time for a member of staff and if desired access to mentoring, advice and support can be provided.

7.6 If they wish the whistleblower may be accompanied by a trade union representative or colleague at any meeting or interviews in connection with the disclosure.

7.7 A summary of any meeting held will be produced for record keeping purposes and a copy will be provided to the whistleblower.

8. HOW THE SCHOOL WILL RESPOND

8.1 The school will take all disclosures seriously and will investigate them. Investigating disclosures is not the same as either accepting or rejecting them.

8.2 In order to be fair to all employees, including those who may have been wrongly or mistakenly accused, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form that investigation should take.

8.3 Disclosures or allegations which fall within the scope of specific procedures (for example, child protection concerns relating to the behaviour of an individual) will normally be referred for consideration under those procedures.

8.4 Where appropriate the matters raised may:

- Be investigated by management, the Governing Body (via a committee if appropriate) or through the discipline/grievance process;
- Be referred to external auditors
- Be referred and dealt with under the established child protection procedures
- Form the subject of an independent inquiry

8.5 Within 20 school days of a disclosure being made, a written response will be given:

- Acknowledging that the disclosure has been received
- Indicating how the school propose to deal with the issue
- Telling them whether any further investigations will take place (and if not explaining why this is the case)
- Supplying information on staff support mechanisms.

8.6 The amount of contact between the person making the disclosure and those considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. It is likely that the person making the disclosure will be interviewed to ensure that the disclosure is fully understood.

8.7 The Governing Body will do what it can to minimise any difficulties that a member of staff may experience as a result of making a disclosure. For example, if they are asked to give evidence in criminal or disciplinary proceedings, the school will arrange for them to receive appropriate advice and support.

8.8 The Governing Body accepts that a whistleblower needs to be assured that the matter has been properly addressed. Unless there are legal reasons why this cannot be done, the whistleblower will be kept informed of the progress and outcome of any investigation.

9. HOW THE MATTER CAN BE TAKEN FURTHER

9.1 This policy is intended to provide members of staff with an avenue within the school to make disclosures. If an employee would like further information and advice about whistleblowing the following are possible contact points:

- Government (www.gov.uk/whistleblowing)
- Public Concern at Work (020 7404 6609) www.pcaw.org.uk
- Your trade union
- ACAS 0300 123 1100

9.2 If a member of staff does take the matter outside the school they must not disclose confidential information.

9.3 If a whistleblower believes that they have been unfairly treated because they have blown the whistle they may decide to take their case to an employment tribunal. The process for this would involve attempted resolution through the Advisory, Conciliation and Arbitration Service (ACAS) early conciliation service.