

Weatherhead High School

A high performing academy providing excellence for all

Whistleblowing Policy

Document Owner	HR / Systems Manager
Committee	Staffing
Frequency of Review	Annually (previously as required)
Date of last review	November 2018
Date approved by Governors	6 th November 2018 (subject to ratification by the Multi Academy Trust Board)
Date of next review	Autumn 2019

WHISTLEBLOWING POLICY

Introduction

The staff and governors of Weatherhead High School seek to run all aspects of school business and activity with full regard for high standards of conduct and integrity. In the event that members of school staff, parents, governors or the school community at large become aware of activities which give cause for concern, Weatherhead High School has established the following whistleblowing policy, or code of practice, which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

Throughout this policy, the term *whistleblower* denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the *Second Report of the Committee on Standards in Public Life: Local Spending Bodies* published in May 1996.

Weatherhead is committed to tackling fraud and other forms of malpractice and treats these issues seriously. It is recognised that some concerns may be extremely sensitive and a system has therefore been developed which allows for the confidential raising of concerns within the school environment but also has recourse to an external party outside the management structure of the school.

Weatherhead is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

There are existing procedures in place (e.g. grievance) which make provision for employees to lodge a concern relating to their own employment. This whistleblowing policy is intended to complement those procedures by covering concerns that appear to fall outside their scope.

Concerns or allegations which fall within the scope of specific procedures, e.g. Child Protection or financial irregularities will normally be referred for consideration under those procedures.

When might the whistleblowing policy apply?

The type of activity or behaviour which Weatherhead considers should be dealt with under this policy includes:

- manipulation of accounting records and finances
- inappropriate use of school assets or funds
- decision-making for personal gain
- any criminal activity
- abuse of position
- fraud and deceit
- serious breaches of school procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)

- failure to fulfil a legal obligation
- examination malpractice
- safeguarding concerns
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- a breach of any other legal obligation; or concealment of any of the above

N.B. This list is not exhaustive

Who is protected?

Protection is afforded to the following:

- Employees working under a contract of service or apprenticeship. This does not have to be a written contract.
- Any other contract, whether express or implied, and whether oral or in writing, where the individual undertakes to perform work personally for any other party.
- Agency and similar workers
- Freelancers and any individual whose workplace is not under the control of management
- National Health Service Practitioners
- Trainees e.g. student teachers
- Volunteers working with the school

What action should the *whistleblower* take?

Weatherhead encourages the *whistleblower* to raise the matter internally in the first instance to allow those school staff and governors in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

Weatherhead has designated individuals to specifically deal with such matters and the *whistleblower* is invited to decide which of those individuals would be the most appropriate person to deal with the matter.

Name & Position	Contact details
Headteacher	Miss A Whelan
Chair of Governors	Mrs J Owens MBE

The *whistleblower* may prefer to raise the matter in person, by telephone or in written form marked private and confidential and addressed to one of the above named individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

If the *whistleblower* considers the matter too serious or sensitive to raise within the internal environment of the school, you may wish to contact the charity Protect (formerly Public Concern at Work) (details given below) or seek advice from your trade union or professional association.

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. Contact details for the charity are as follows:

Protect
CAN Mezzanine
7 – 14 Great Dover Street
London
SE1 4YR

Telephone number 0207 404 6609

UK Advice Line: whistle@protect-advice.org.uk

How will the matter be progressed?

The individual(s) in receipt of the information or allegation (the investigating officer(s)) will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of school staff legal or personnel advisors, the police, the Department for Education.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the governing body, will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral such as the police.

The *whistleblower* will be informed of the results of the investigation and the action taken to address the matter. It may not be possible to provide full details of the outcome if it contains personal details of a third party, because we have a duty to protect personal information under the Data Protection Act 2018.

Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the governing body.

If the *whistleblower* is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigating officer(s), and / or the governing body.

Respecting confidentiality

Wherever possible Weatherhead seeks to respect the confidentiality and anonymity of the *whistleblower*. It must be appreciated however, 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.

How will the school treat *whistleblowers*?

Weatherhead will not tolerate any attempt to victimise the *whistleblower* or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

If an allegation is made in good faith but it is not confirmed by the investigation no action will be taken against you.

Where an employee may have been party to an act of gross misconduct on which they are now blowing the whistle this could be considered in mitigation. They are not, however, exempt from disciplinary action.

Raising unfounded malicious concerns

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

Conclusion

Existing good practice within Weatherhead High School in terms of its systems of internal control both financial and non-financial and the external regulatory environment in which the school operates ensure that cases of suspected fraud or impropriety rarely occur. This whistleblowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and if necessary outside the management structure of the school. This document is a public commitment that concerns are taken seriously and will be actioned.