Heckmondwike Grammar School

Policy: Arrangements for Whistle Blowing

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Arrangements for Whistle Blowing Policy

Purpose

Heckmondwike Grammar School is committed to the highest standards of openness, probity and accountability. In line with this commitment, the school encourages anyone, including employees, with serious concerns about the school's work to come forward and voice those concerns. This applies to concerns about the activities of staff, Governors and external organisations in their dealings with the school.

This policy:

- provides the basis on which a person can raise any such concerns they may have, and receive feedback on action taken
- allows that person to take the matter further if they are dissatisfied with the School's response and
- gives protection from reprisals or victimisation for 'whistle blowing' in good faith.

The Policy

There are existing procedures in place to enable employees to raise grievances about their own employment. This policy is intended to cover concerns that fall outside the scope of individual grievances, a concern may be about something that:

- is unlawful whether criminal (e.g. theft) or represents a breach of the civil law (e.g. slander or libel);
- is maladministration (e.g. unjustified delay, incompetence, negligent advice);
- is against the School's policies;
- represents a failure to safeguard personal and/or sensitive information and/ or the subsequent misuse of such information;
- amounts to improper conduct;
- seems likely to harm somebody or the environment; or
- is a Health and Safety risk, including risks to the public as well as other employees;
- may be an abuse of children and vulnerable adults (e.g. through physical, sexual, psychological or financial abuse, exploitation or neglect);
- could be the unauthorized use of public funds (e.g. expenditure for improper purpose);
- may be an abuse of power (e.g. bullying/harassment);
- is sexual harassment:
- represents a cover-up of these sorts of issues;
- is a deliberate concealment of information about any of the above.

The above is not a comprehensive list but it is intended to illustrate the sort of issues that may be raised under the policy.

The policy applies to all employees, whether permanent or temporary, trainees, agency staff, consultants, volunteers, contractors, suppliers, members of the Governing Body, parents and members of the public. Those raising a concern are referred to as complainants throughout the remainder of this policy.

This policy has been written in line with the Academy Trust Handbook (paragraphs 2.40 to 2.44) as well as government guidance on whistle-blowing, and takes into account Public Interest Disclosure Act 1998.

We recognise that microaggressions—even when unintentional or subtle—can negatively impact well-being, morale, and performance, they communicate hostile or derogatory messages to individuals based on their marginalised group membership[(such as race, gender) sexuality or disability)

This policy sets clear expectations for behaviour and outlines our commitment to preventing such conduct.

Safeguards

The Governing Body recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those responsible for the malpractice. The school will not tolerate harassment or victimisation and will take all possible measures to protect complainants who raise concerns in good faith.

A non-disclosure agreement, confidentiality clause or 'gagging' clause cannot legally stop complainants from making a protected disclosure in the public interest.

Confidentiality

The School will protect the identity of anyone who raises a concern and do not want their name to be disclosed. It must be appreciated, however, that any investigation may reveal the source of information provided, and statements made by a complainant may be required as part of the evidence.

Anonymous allegations

The School encourages any complainant to put their name to allegations made. Concerns expressed anonymously are much less powerful, but will still be considered at the discretion of the school. In exercising this discretion, the factors to be taken into account will include:

- the seriousness of the issue raised;
- the credibility of the concern;
- the likelihood of confirming the validity of an allegation

Untrue allegations

If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the complainant. If however, the complainant is an employee and an allegation turns out to be malicious or vexatious, disciplinary action against the employee may be taken.

How to raise a concern

The complainant should normally raise the concern with the Headteacher or Chair of Governors. This depends on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. Anyone who feels that they cannot approach management in the school should approach either:

- The Vice Chair of Governors;
- A Staff Governor;
- The Clerk to the Governors.

Concerns are better raised in writing. The concern should set out the background and history of the concern (giving names, dates and places where possible), and the reason for the concern.

Any employee who does not feel able to put their concerns in writing can telephone or meet the appropriate person and may invite a trade union or professional association representative to raise the matter in conjunction with them.

How will the school respond?

The action taken by the School will depend on the nature of the concern. The matters raised may for example:

- be investigated internally;
- be referred to the Police.

In order to protect individuals and the school, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Some concerns may be resolved by agreed action without the need for investigation.

In any case and within two weeks of a concern being received, the Chair of Governors or appropriate member of school staff will write to the employee who raised the issue:

- acknowledging that the concern has been raised;
- indicating how it proposes to deal with the matter;
- giving an estimate of how long it will take to provide a final response; and
- telling the employee whether further investigations will take place and if not, why not.

Records of concerns raised, including the outcome will be maintained for a minimum of five years by the Clerk to the Governors and/or the Headteacher and will be kept in a confidential and secure environment.

The amount of contact between an investigator considering the issue and the complainant will depend on the nature of the matter raised, the potential difficulties involved and the clarity of the information provided.

If necessary, further information will be sought. When any meeting is arranged with an employee, they will be given the right to be accompanied by a representative or fellow worker who is not involved in the area of work to which the concern relates. The School accepts that the complainant needs to be assured that the matter has been properly addressed. Subject to legal or contractual constraints, the complainant will receive information about the outcome of any investigation.

If an anonymous complaint is made under the whistleblowing policy it will be investigated as thoroughly as the details of the complaint allows. The details of the complaint and the outcome will then be reported to governors and stored confidentially.

Taking the issue further

This policy is intended to provide complainants with an avenue to raise relevant concerns within the School. It is hoped that the complainant will be satisfied with the action taken as a result but if not, the matter may be referred to one or more of the following contact points:

- a relevant professional body
- a regulatory organisation, such as the ESFA or Charities Commission;
- the Police
- the charity 'Public Concern At Work' (telephone 020 7404 6609 www.pcaw.co.uk E-mail: whistle@pcaw.co.uk).

If an employee for example does take the matter outside of the School, they must make sure that they do not disclose otherwise confidential information.

Management of the policy

The Chair of Governors has overall responsibility for the maintenance and operation of this policy. A record of all concerns raised and the outcome will be retained. Where appropriate, a concern will be shared with the wider Governing Body.