

# WATFORD GRAMMAR SCHOOL FOR BOYS



## WHISTLEBLOWING POLICY

Headmaster's signature

3/6/2017

A handwritten signature in black ink, appearing to be "I. A. [unclear]".

Chair of Governors' signature

3/6/2017

A handwritten signature in black ink, appearing to be "Paul [unclear]".

## Purpose and Scope

1. This policy is applicable to all members of staff, volunteers and Governors at Watford Grammar School for Boys. It includes those providing services under a contract with the School or organisations working in partnership with the School.
2. It aims to:
  - encourage the whistleblower to feel confident in raising serious concerns and to question and act upon those concerns;
  - provide avenues for the whistleblower to raise concerns and then receive feedback on any action taken;
  - ensure that the whistleblower receives a response to their concerns and that they are made aware of how to pursue them if they are not satisfied with the response;
  - reassure everyone covered by the policy that they will be protected from possible reprisals or victimisation as long as the whistleblower has a reasonable belief that they have made any disclosure in good faith.
3. The Public Interest Disclosure Act 1998 provides legal protection for whistleblowers and the right not to be victimised at work. It is intended that protection afforded under this policy is given to the whistleblower where any concern that they raise is in the public interest and where this is not for their personal interest or gain. It should be noted that volunteers are not currently covered by the Act but are encouraged to raise any concerns they may have.
4. The concern may be about something that is:
  - improper conduct; or
  - against established standards of practice; or
  - against the School's normal working practices or any other policy; or unlawful.

In this context the concerns may be about:

- possible fraud, corruption or financial irregularity;
- dangerous procedures risking health and safety of either pupils or staff;
- abuse of pupils;
- safeguarding concerns relating to pupils;
- evasion of statutory responsibilities;
- conduct which is an offence or breach of the law;
- damage to the environment or property belonging to the School or a member of the school community;
- other unethical or improper conduct, including the circulation of inappropriate email;
- covering up information about anything listed above.

## Principles

5. The School recognises that the whistleblower has a legal right and also a duty to raise concerns when they have a reasonable belief that malpractice may be occurring or has occurred.
6. The whistleblower has legal protection from reprisal, victimisation or harassment at work if they raise a concern in good faith. If it is found that they have acted maliciously or for personal gain, this will be considered a disciplinary offence and action will be taken accordingly.
7. Whenever possible, the School will protect the identity of anyone who raises a concern and does not want his/her name to be disclosed. If the situation arises where the Governing Body is unable to resolve the concern without revealing the identity, e.g. because evidence is needed in court, this will be discussed first with the individual who raised the concern to agree how to proceed. The Governing Body will not disclose the identity of the whistleblower to the person who is the subject of the disclosure or others not involved in the investigation unless it is absolutely necessary to do so and only with prior consent from the individual concerned.
8. Concerns expressed anonymously will be considered at the discretion of the School's Headmaster and/or Chairman of Governors as appropriate. In exercising this discretion, the factors to be taken into account will include:
  - the seriousness of the issues raised;
  - the credibility of the concern; and
  - the likelihood of obtaining the necessary further information.
9. The School will offer support to anyone who has raised a concern in accordance with this Policy.

## How to Raise the Matter

### Stage 1

10. The whistleblower should raise any concern initially with an appropriate level of line management (e.g. Head of Department, Designated Safeguarding Lead or Finance Director). The most appropriate person to contact will depend on the degree and sensitivity of the issues involved and who is suspected of malpractice. If the whistleblower feels that it is inappropriate to contact any of those staff, they should contact:
  - another member of SLT;
  - the Headmaster or
  - Chairman of Governors if the concern relates to the Headmaster.

If the whistleblower feels unable to raise a concern to an appropriate level of Line Manager, they may alternatively contact the Education Funding Agency.

11. Concerns may be raised orally or in writing, making it clear that the issue is being raised under the Whistleblowing Policy.
12. The whistleblower will be asked to demonstrate to the person that they contact that there are sufficient grounds for concern.
13. The whistleblower may invite a friend or a trade union or professional association representative to accompany them at any meeting. The whistleblower may also request their trade union or professional association to raise a matter on their behalf.

14. If the whistleblower wishes to raise a concern confidentially, they should make this clear to the person they initially decide to contact.
15. The person that the whistleblower approaches may be able to take the appropriate steps to investigate the issue raised. Alternatively, he/she may refer the matter to another appropriate member of staff/the Chairman of Governors.
16. Once a whistleblower has raised an issue of concern, they will be contacted **within five working days** by the Headmaster/the Chairman of Governors, who will arrange to discuss the matter. The whistleblower may be accompanied by a friend or a trade union representative at this meeting, for the purpose of providing support. Notes will be taken of the details of the concern.
17. An initial response will be given to you within **five working days**. The whistleblower will be kept informed of the progress of the investigation and notified of its resolution.
18. When the matter has been fully investigated and a conclusion reached, a formal written response will be sent to the whistleblower.
19. Where appropriate, the matters raised will be referred to:
  - the Headmaster for review with the SLT
  - the EfA (in all cases involving financial irregularity or corruption)
  - the School's disciplinary procedures and /or
  - be referred to the Police (in this case an internal investigation **cannot** be continued as the police will wish to speak to all parties involved): and/or
  - form the subject of an independent enquiry.
20. It should be noted that some concerns may be resolved by agreed action without the need for investigation. Equally, some issues may be investigated without the need for initial enquiries. If urgent action is required this may be taken before any investigation is conducted – if there is sufficient initial evidence to indicate that such action is warranted, e.g. suspension of an employee while investigations are undertaken.
21. The Headmaster/Line Manager will also notify the person who is the subject of the whistleblower's disclosure within 5 working days of the date of the meeting. Upon receipt of the confirmation, the individual will be able to appeal any decisions by writing to the Headmaster or Governing Body.

## Stage 2

22. If the whistleblower is dissatisfied with the School's response, they can raise the matter **within 10 working days** of the date of the School's response by writing to the Chairman of Governors. In the event that the Chairman of Governors was involved in the review in stage 1, he will refer the matter to another Member of the Academy Trust for review under stage 2.
23. The Member/Chairman of Governors conducting the review will then write to the whistleblower **within 5 working days** of receiving the letter to arrange a meeting to discuss the continuing concerns and why they are dissatisfied with the decision at Stage 1. This meeting should take place promptly.
24. The Member/Chairman of Governors may then decide to investigate further and will need to decide what action to take. The whistleblower will be updated with the outcome of the meeting **within 5 working days**.

25. The Stage 2 review will not be carried out by the same person as Stage 1.

### **Stage 3**

26. If the whistleblower is dissatisfied with the outcome at stage 2, they may opt to take the matter to stage 3, by raising the concern externally within a reasonable period of time, which in most instances would be **within 10 working days** of the date of the decision letter at stage 2, with any of the following, as appropriate:
- a Member of the Watford Grammar School for Boys Academy Trust
  - the Local Authority Designated Officer (for safeguarding concerns)
  - an elected Member of the County Council or the local MP
  - the Police
  - a relevant professional body or inspectorate (e.g. OFSTED or the DfE)
  - a trade union or professional association
  - Public Concern at Work ([www.pcaw.co.uk](http://www.pcaw.co.uk) or telephone 020 7404 6609). This is an accredited legal advice centre so if you approach them, you do not breach your duty of confidence to the School
  - other prescribed bodies such as Her Majesty's Revenue & Customs, Health & Safety Executive, Environment Agency.
27. In taking their concern outside the School, the whistleblower should ensure that, so far as possible, the matter is raised without confidential information being divulged.

### **Other provisions**

28. The Headmaster should raise any concerns initially with the Chairman of Governors and then with a Member of the Academy Trust if they wish to go to Stage 2.
29. If a Governor wishes to raise a concern under this Policy, they should address their concerns to the Education Funding Agency.
30. The Chairman of Governors should keep a record of concerns raised within the School. Records should not be kept on the file of the individual who raised the concern under any circumstances.