Clitheroe Royal Grammar School

Whistleblowing (Freedom to speak)
Policy

Staff member responsible: Headteacher

Governors' Committee: Students and Staffing

1. Introduction

1.1 Governors are committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

1.2 Under this Whistleblowing Policy you can raise such concerns without fear of victimisation, subsequent discrimination or disadvantage. Any employee who raises a concern is protected by the Public Interest Disclosure Act 1998, part of which was updated by the Enterprise and Regulatory Reform Act 2013. The policy is intended to encourage and enable employees to raise serious concerns within the school rather than overlooking a problem or 'blowing the whistle' outside.

1.3 The policy applies to all employees and applies equally to those designated as casual, temporary, agency, authorised volunteers / work experience, governors. It also applies to those contractors working for the school on the school premises eg agency staff, builders, drivers, and covers suppliers and those providing services under a contract with the school in their own premises.

1.4 This policy is in addition to the school's complaints procedures and other statutory reporting procedures including safeguarding procedures. Employees should be made aware of the existence of these procedures.

1.5 This policy has been discussed with the recognised trade unions / professional associations and has their support.

2. Aims and Scope of this Policy

2.1 This policy aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues for you to raise those concerns and receive feedback on any action taken
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure which is in the public interest.

2.2 There are existing procedures in place to enable you to lodge a grievance or complaint relating to your own employment. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures.

These include:

- conduct which is an offence or a breach of law
- failure to comply with a legal obligation
- disclosures related to miscarriages of justice
- racial, sexual, disability or other discrimination where other procedures, such as the school's Bullying and Harassment Procedure, do not apply
- health and safety risks, including risks to the public / students as well as other employees
- damage to the environment
- the unauthorised use of public funds
- possible fraud, bribery and corruption, including but not limited to, theft of property, financial irregularities, misuse of property and school systems, nepotism, conflicts of interest, or supplier kickbacks
- sexual or physical abuse of students where referral under safeguarding procedures is not appropriate
- other unethical conduct
- actions which are unprofessional or inappropriate.

2.3 Thus, any serious concerns that you have about any aspect of service provision or the conduct of school staff, governors or others acting on behalf of the school can be reported under the Whistleblowing Policy. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the governors subscribe to
- is against the governors' standing orders and policies
- falls below established standards of practice
- amounts to improper conduct.

2.4 This policy does not replace the school's complaints procedures.

3. Key Principles

3.1 The school is committed to good practice and high standards and wants to be supportive of all employees

3.2 It is recognised that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and to those for whom you are providing a service.

3.3 Governors will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern which is in the public interest. Any member of staff who harasses or victimises a whistleblower may not only be personally liable but will be subject to disciplinary action.

3.4 Any suspicion of fraud or other wrongdoing will be treated seriously and will be reviewed in accordance with the Public Interest Disclosure Act 1998 (PIDA). As a member of the school's staff or as an employee of one of its agents you have statutory protection against victimisation and dismissal under the PIDA, if you speak out genuinely against corruption and malpractice at work.

3.5 "Malpractice" includes any kind of improper practice or conduct which falls short of what is reasonably expected whether it relates to a positive act or omission and also includes any form of harassment.

3.6 It is essential for all concerned that disclosures of wrongdoing or irregularity are dealt with properly, quickly and discreetly. This is in the interests of the school, its employees, any persons who are the subject of such allegations, as well as the person making the disclosure.

3.7 Investigations into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy proceedings that are already taking place.

4. Confidentiality

4.1 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, anyone making a disclosure under this policy may need to provide evidence as a witness.

4.2 The school expects all organisations that deal with us and who have serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

4.3 It may be possible to establish the truth about allegations from another independent source and the school will seek to do this where possible.

5. Anonymous Allegations

5.1 This policy encourages you to put your name to your allegation whenever possible.

5.2 Where an individual chooses to report their concerns anonymously, such anonymity will be respected. However, our ability to investigate anonymous complaints can be hampered by not being able to further explore issues or obtain evidence during the investigative process. Furthermore, if we do not know who has provided the information, it is not possible to either reassure or protect you.

5.3 Concerns expressed anonymously may be less powerful but will be considered at the discretion of the school. In exercising such discretion, the following factors may need to be taken into account:

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

5.4 If the allegation suggests criminal activity and the case warrants police assistance, the identity of the person reporting the details may be important at a later date if criminal proceedings are to be pursued.

6. Unfounded Allegations

6.1 If you make a disclosure in good faith that you reasonably believe is in the public interest, but it is not confirmed by the investigation, no action will be taken against you. If, however, your allegation is frivolous, malicious or for personal gain, you may be subject to disciplinary action (employees).

6.2 If you are a School Governor, you may breach the Code of Conduct for School Governing Bodies. If you are a contractor or partner, such allegations may put you in breach of your contractual responsibilities to the school.

6.3 Malicious or vexatious allegations include those that are trivial and do not have substance and are made persistently to cause trouble.

7. How to Raise a Concern

7.1 In raising a concern employees should provide the following information:

- the background and history of the concern (giving relevant dates)
- the reason why you are particularly concerned about the situation
- the name(s) of any colleagues / employees who you consider are directly involved
- the name(s) of any colleagues / employees who you believe may be able to help provide further information.

7.2 Employees should normally raise concerns with a designated senior member of staff e.g. Headteacher/Chair of Governors. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that senior management of the school is involved you may wish to approach an external agency/organisation (see section 10)

7.3 Concerns may be raised verbally or in writing.

7.4 The earlier you express the concern the easier it is for action to be taken.

7.5 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

7.6 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter as a collective concern if there are two (or more) of you who have had the same experience or concerns.

7.7 You may invite a fellow worker, a trade union representative or an official employed by a trade union to be present during any meetings or interviews in connection with the concerns you have raised.

7.8 If you believe that you have to take the matter externally, possible contacts are listed at section 10 of this policy.

8. How Governors will respond

8.1 Governors will provide a response to your concerns. If you confirm your wish to raise the concerns formally under this policy, a responsible person will be designated by the school management, where appropriate, to co-ordinate the response to the concerns you have raised. The responsible person will respond to you in accordance with paragraph 8.6 below.

8.2 Where appropriate, the matters raised may:

- be investigated by school, internal audit, or through the disciplinary procedure
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry.

8.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Such testing out of your concerns is not the same as either accepting or rejecting

them. The overriding principle which school management will have in mind is the public interest.

8.4 Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.

8.5 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

8.6 Within ten working days of a concern being raised, the responsible person will write to you to:

- acknowledge that the concern has been received
- indicate how it is proposed to deal with the matter
- provide an estimate of how long it will take to provide a final response
- inform you whether any initial enquiries have been made
- supply you with information on staff support mechanisms (where appropriate) and inform you whether further investigations will take place and if not, why not.

8.7 The amount of contact between those considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you.

8.8 Where any meeting is arranged under this policy, away from school premises if you so wish, you can be accompanied by a Trade Union or Professional Association representative or work colleague.

8.9 Governors will take steps to minimise any difficulties which you may experience as a result of raising a concern. For example, if you are required to give evidence in criminal or disciplinary proceedings, arrangements will be made for you to receive appropriate advice about the procedure.

8.10 It is accepted that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will be informed of the outcome of any investigation.

9. The Responsible Officer

9.1 The Headteacher has overall responsibility for the maintenance and operation of this policy in respect of concerns raised formally within the school, and should maintain a record of concerns raised and the outcome, to report as necessary to the Governors.

10. How the Matter can be Taken Further

10.1 This policy is intended to provide you with an avenue within the school to raise concerns. The Governors hope you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the school, you may wish to contact your Trade Union / Professional Association, the council or one of the following possible contact points:

Action Fraud	☎: 0300 123 2040 Website: https://www.actionfraud.police.uk/

The Education and Skills Funding Agency	Customer Service Team Education and Skills Funding Agency Cheylesmore House Quinton Road Coventry CV1 2WT Website: https://www.gov.uk/guidance/how-esfa-handleswhistleblowing-disclosures#how-to-make-adisclosure-to-esfa
Public Sector Audit Appointments Ltd	✉ PSAA Limited 18 Smith Square London SW1P 3HZ ☎ 020 7072 7445 Email:generalenquiries@psaa.co.uk
Lancashire Constabulary	✉ Lancashire Constabulary Headquarters Saunders Lane Hutton Preston PR4 5SB ☎ 0845 1253545/01772 614444 Website: www.lancashire.police.uk/
HM Revenue and Customs	✉ HM Revenue and Customs Freepost NAT22785 Cardiff CF14 5GX ☎ 0800 595 000 Website: https://www.gov.uk/government/organisations/hmrevenue-customs/contact/customs-excise-andvat-fraud-reporting
The Environment Agency	✉ The Environment Agency National Customer Contact Centre PO Box 544 Rotherham S60 1BY ☎ 0800 807060 Email: enquiries@environment-agency.gov.uk

The Health and Safety Executive	✉ The Health and Safety Executive Redgrave Court Merton Road Bootle Merseyside L20 7HS ☎ 0845 300 9923 Website: www.hse.gov.uk/contact/index.htm
Public Concern at Work	✉ Public Concern at Work CAN Mezzanine 7-14 Great Dover Street London SE1 4YR ☎ 020 7404 6609 Website: whistle@pcaw.org.uk http://www.pcaw.org.uk/

- Workers should refer to the Government's guidance for whistleblowers to verify the position that a personal grievance is not generally regarded as a protected disclosure. Workers can also contact the Advisory, Conciliation and Arbitration Service (ACAS) for guidance on whistleblowing and grievances. Useful information can be found at: http://www.acas.org.uk/index.aspx?articleid=1919

- Protect is an independent whistleblowing charity can be contacted via their helpline on 0203 1172520. Their website is: https://protect-advice.org.uk/raising-a-concern/

- Further information on raising concerns with prescribed external bodies is also available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/510962/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf

10.2 If you do take the matter outside the school, you should ensure that you do not disclose confidential information that falls outside the scope of the complaint. You should check with the relevant contact point about that.

Date of last review:	October 2024
Date of approval by Governors:	October 2024
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