



WHISTLEBLOWING POLICY

Mission Statement

‘Lord Grey School is a future-driven, aspirational and inclusive school offering all learners outstanding social and academic opportunities. Our international, national and local community links promote the development of fulfilled and successful young people. We aim to maximise learner potential to the highest academic levels and to encourage a love of learning that will last a lifetime. We are a high achieving school with an ambition to become an outstanding first choice local school’

Motto: Aspire, Learn, Achieve

Core Values:

“Be resilient, independent and hardworking.”

“Be kind, caring and positive.”

“Be ambitious, aspirational and determined.”

“Be respectful, helpful and honest.”

POLICY MANAGER:	Debbie Hawkins
COMMITTEE:	Resources Committee
REVIEW DATE:	Spring 2018
NEXT REVIEW DATE:	Spring 2019

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1. STATEMENT

Lord Grey School wants staff to be confident that any concerns they may have will be taken seriously and that they will be protected from victimisation or bullying or harassment if they raise a concern.

If you have a concern about Lord Grey School's services and activities please read this policy. You may think this policy does not apply to the concern you have but it does and we can give confidential advice about any concern you may have regarding the school and its services.

If you want to informally/confidentially discuss this policy or your concerns you can contact:

- Headteacher on 01908 626110 or mail to: tracey.jones@lordgrey.org.uk
- Business Manager on 01908 626110 or mail to: dean.johnson@lordgrey.org.uk
- Human Resources on 01908 626110 or [Human Resources@lordgrey.org.uk](mailto:HumanResources@lordgrey.org.uk)

Or

Public Concern at Work (PCAW) on 0207 404 6609 or helpline@pcaw.co.uk

PCAW are an independent charity and information provided to PCAW is protected under the Public Interest Disclosures Act. Their helpline is where their lawyers provide confidential advice free of charge.

The details of such discussions will not be released to anyone else (unless legally required to do so) within Lord Grey School without your express consent and meetings can be held at a time and place of your choosing.

2. INTRODUCTION

This policy seeks to provide a process that gives anyone with a concern about the School the confidence to bring that concern to our attention but it is not designed to replace existing processes which would be more relevant.

It is important to the School that any fraud, misconduct or wrong doing that is within the interest of the public is reported and properly dealt with. The School therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the school or the way in which the school is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

For example, the School maintains formal procedures to consider concerns regarding the care of individuals for whom the School is responsible and those processes should normally be used in such cases.

The School also has a Complaints Policy to deal with routine concerns in respect of stakeholder care and standards of service.

The Whistleblowing process is designed for those persons who fear victimisation or harassment if they raise a concern or feel that their concerns raised through other processes have not been properly addressed.

The contact details provided in this policy highlight individuals who can be contacted to discuss the most appropriate process to consider any concerns you may have.

Lord Grey School operates within legal requirements and regulations and expects its employees to co-operate in this by adhering to all laws, regulations, policies and procedures.

Any employee becoming aware of inappropriate conduct is obliged and encouraged to report this activity. This policy also applies to contractors, consultants, partners and agency staff and other stakeholders including School Governors.

*for the purpose of this policy 'worker' encompasses employees, contractors, consultants, partners and agency staff and other stakeholders including School Governors.

The law provides protection for workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

- a criminal offence
- 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
- concealment of any of the above

is being, has been, or is likely to be, committed.

It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The worker has no responsibility for investigating the matter - it is the organisation's responsibility to ensure that an investigation takes place.

Employees are often the first to realise that there may be something seriously wrong within the School. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School.

Individuals with a concern may fear that they will be victimised or harassed if they raise the concern. In these circumstances it may feel easier to ignore the concern rather than report what may be a suspicion of malpractice.

The School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment the School encourages any person with serious concerns about any aspect of the School's work to come forward and voice those concerns.

This process is commonly referred to as "whistleblowing". It is recognised that certain cases will have to proceed on a confidential basis but in accordance with the Freedom of Information Act this policy seeks to provide a transparent method for dealing with concerns. Whistleblowers can have confidence through this policy that they have the fullest protections afforded by the Public Interest Disclosures Act.

Specifically the code of practice set out in this policy makes it clear that staff and others can make reports without fear of reprisals and sets out what protections are in place under this policy. This Code is intended to encourage and enable concerns to be raised within the School so that they can be addressed, rather than overlooking problems or raising them outside the School.

All employees, school governors and other relevant stakeholders have a responsibility to protect the School's interests through the proper adherence to this policy.

3. BACKGROUND

A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

The School encourages workers to raise their concerns under this procedure in the first instance. If a worker is not sure whether or not to raise a concern, he/she should discuss the issue with his/her line manager or the HR department.

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal or unethical conduct and report anything of that nature of which they become aware
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the worker who raised the issue
- No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because he/she has raised a legitimate concern.
- Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure the School's disciplinary procedure will be used, in addition to any appropriate external measures
- Maliciously making a false allegation is a disciplinary offence
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter.

This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that his/her own contract has been, or is likely to be, broken, he/she should use the School's grievance procedure. That said, if a breach in an employee's contract is legitimately in the public's interest then that would fall within the remit of this policy.

4. AIMS AND SCOPE OF THIS POLICY

This code of practice aims to:

- Encourage and enable any person to feel confident in raising serious concerns and to question and act upon concerns

- Provide avenues for any person to raise concerns and receive feedback on any action taken
- Ensure everyone making a referral receives a response to their concerns
- Describe how to take the matter further if dissatisfied with the school's response
- Reassure anyone making a referral that they will be protected from reprisals or victimisation, for raising concerns.

For the avoidance of doubt if a staff member has concerns that any person may be being mistreated/abused the colleague can discuss his/her concerns in confidence with those listed on page 3 of this policy.

There are existing procedures in place to enable staff to lodge a grievance relating to their own employment, parents to complain about the educational service their child receives and regarding concerns whether School Governors have breached the Code of Conduct for School Governors. This Whistleblowing Policy should not normally be used to air such concerns. But if stakeholders have any doubt about how to voice their concerns, advice can be obtained from the contacts on page 3 of this policy.

A concern may be about:

- Sexual, physical or emotional abuse of staff, students or other individuals
- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the students and public, as well as employees
- Unauthorised use of public funds
- Action that is contrary to the school's financial procedures or contract regulations
- Possible fraud, corruption or financial irregularity
- Other improper or unethical conduct.

This list is not exhaustive.

The concern may be something that makes a person feel uncomfortable in terms of known standards, their experience or the standards to which they believe the school subscribes. If in doubt please contact those named on page 3 of this policy for a confidential discussion.

5. HOW TO RAISE A CONCERN

When an individual wishes to raise a concern, he or she will need to identify the issues carefully. The questions set out below are not designed to be exhaustive but are provided to assist anyone with a concern how they can properly articulate that to the School.

- Is your concern that the School or any of its stakeholders are acting illegally?
- Does it contravene professional codes of practice?
- Is it against government guidelines?
- Is it against the school's guidelines?
- Is it about one individual's behaviour or one particular incident or is it about general working practices?
- Did you witness a particular incident that causes concern?

- Did anyone else witness the incident at the same time?

The above questions are given to aid someone with a concern to be able to set out coherently the nature of the issue causing concern and to hopefully guide that person as to the most appropriate procedure to use.

As stated, the contact details on page 3 of this policy can be used to discuss the most appropriate process applicable to consider the issue giving concern. However in general:

In the first instance concerns from staff should normally be raised with their immediate manager.

Non-employees (e.g. agency workers or contractors) should raise a concern in the first instance with their contact within the School, usually the person to whom they directly report.

In some cases, the nature or sensitivity of the concern means that this may not always be appropriate. If a person feels they cannot raise their concern with their immediate manager they are able to go directly to the relevant Faculty Head, Head of House, Senior Leadership Team, Human Resources, Business Manager, Headteacher or Chair of Governors. They may also do so if, having raised a concern with the immediate manager/contact, they feel there has not been an appropriate response.

Given the possible contractual issues Annex A (section 12) of this policy gives specific guidance to contractors and partners of the school in raising such concerns.

Concerns may be raised verbally or in writing. Anyone who wishes to make a written report should give the background and history of the concern (giving relevant dates if possible) and the reason why they are particularly concerned about the situation.

If the individual wishes, they may ask for a private meeting with the person to whom they wish to make the complaint and can be accompanied if they wish. An employee may invite their trades union or professional association representative or work colleague to be present during any meetings or interviews in connection with the concerns they have raised.

When making a complaint verbally, the individual should write down any relevant information and date it. They should keep copies of all correspondence and relevant information.

It should be noted that often the earlier a concern is expressed the easier it is to take appropriate action.

The individual should ask the person to whom they are making the complaint what the next steps will be and if anything more is expected from them.

Although a person is not expected to prove the truth of an allegation that is made, it will be necessary to demonstrate that there are sufficient grounds for concern. It is not necessary for any person to undertake investigations into their concern prior to contacting the School as this may undermine any ultimate action needing to be taken.

Advice and guidance on how specific matters of concern may be pursued can be obtained from Human Resources. (Contact details on page 3). Alternatively staff may wish to get confidential advice from their trades union or professional association.

Staff may wish to consider discussing their concerns with a colleague first and may find it easier to raise the matter if there are two (or more) of them who have had the same experience or concerns.

Where a person feels that they cannot approach anyone in the School, they may wish to report their concerns through the external independent reporting scheme called Public Concern at Work. PCAW contact details are on page 3 of this policy.

6. SUPPORTING THE INDIVIDUAL TO RAISE A CONCERN

Harassment or Victimisation

The School recognises that the decision to raise a concern can be difficult, not least because of the fear of reprisals.

The School will not tolerate harassment or victimisation and will take action to protect individuals who raise concerns in good faith. This does not mean that if the individual is already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of raising a concern under this policy. The School will take a balanced view of its responsibilities under all School policies and legal duties in such circumstances.

It is the clear instruction to those officers (through this formal policy) of the School who liaise with whistleblowers that they shall not release information to identify a whistleblower to any person within the School and will only release those details to a proper person outside the School when there is a legal requirement to do so, e.g. a court order. The only exception to this shall be where the whistleblower themselves gives written permission to do so.

Any person applying pressure upon such officers to identify whistleblowers shall be subject to the same provisions as outlined below.

Each case will be considered on its merits. Anyone found to have victimised or harassed someone who has made a referral under this policy would normally be considered as:

- A matter of Gross Misconduct if done by an employee of the School
- A matter for the School to consider termination of a contract if done by or at the request of a contractor
- A matter that would be referred to the Chair of Governors if undertaken by or at the request of a School Governor
- A matter that could affect the service provided to a student if done by or at the request of that student's parent.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal the identity of the person highlighting the concern if that is the wish of the individual.

Individuals are encouraged to put their name to any allegation. The School will do its best to protect the individual's identity when they do not want their name disclosed. It must be

appreciated that the investigation process may reveal the source of the information and a statement by the individual raising the concern may be required as part of the evidence.

Anonymity

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the School. In exercising this discretion, the factors to be taken into account would include:

- Seriousness of the issue
- Credibility of the concern
- Likelihood of being able to obtain the necessary information.

Untrue Allegations

Any individual who makes an allegation in good faith, but which is not subsequently confirmed by the investigation, will have no action taken against them and will continue to have protection under this policy from victimisation or harassment.

If however, an individual makes malicious or vexatious allegations, action may be taken against them.

7. HOW THE SCHOOL WILL RESPOND

The action taken by the School will depend on the nature of the concern. Where appropriate, the matters raised may:

- be investigated by management, internal audit, or other appropriate person
- be referred to a Governors' Disciplinary Committee
- be referred to the external auditor
- be referred to the police
- form the subject of an independent inquiry.

In order to protect individuals and the School, an initial investigation will be carried out to decide whether a full investigation is appropriate and, if so, what form it should take. 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.

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 were required, this would be taken before any investigation is conducted.

The School will write to the person raising the concern within 10 working days, i.e. initially the individual or representative with whom the report was lodged:

- Acknowledging that the concern has been received
- indicating how it proposes to deal with the matter
- giving an estimate of how long it will take to provide a final response
- telling the person whether any initial enquiries have been made
- supplying the person with information on staff support mechanisms
- Telling the person whether further investigations will take place and, if not, why not.

Every effort will be made to resolve the matters raised as soon as possible, in the interests of the School, the person raising the concern and the person(s) being investigated.

The amount of contact between the officers considering the issues and the person raising the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information may be sought from the person raising the concern.

Where any meeting is arranged, staff have the right, if they so wish, to be accompanied by a trade union or professional association representative or a work colleague who is not involved in the area of work to which the concern relates.

The School will take appropriate steps to minimise any difficulties, which a person may experience as a result of raising a concern and provide advice and support should they be required to give evidence, e.g. at a disciplinary hearing. Such support may include the ability to give evidence via video link.

The School accepts that the person raising a concern needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, the person raising the concern will receive as much information as possible as the investigation progresses.

8. HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide an avenue to raise concerns within the School. The School hopes that those using this process will be satisfied with the way their concerns are treated and any investigations that may be carried out. However, if they are not satisfied and feel it right to take the matter outside the School, the matter can be raised with:

- Milton Keynes LA
- Relevant professional bodies or regulatory organisations
- A solicitor
- The police
- Ofsted.

In taking a matter of concern outside the School, a person must ensure that, so far as possible, it is raised without confidential information being divulged and would, other than in exceptional circumstances, be expected to have exhausted the internal routes available first.

9. ROLES AND RESPONSIBILITIES

The responsibility for the operation of this policy rests with the Headteacher to ensure all staff are fully aware of its provisions. The Human Resources Team must be advised of all referrals (but in a form which does not endanger confidentiality) so that an annual report to the Governing Board can be compiled.

Investigations should be undertaken by appropriate officers with expertise and will be dependent upon the issue raised. The Headteacher and Human Resources will jointly ensure that investigations are swift and effective and undertaken by someone with relevant

skills and experience. Human Resources will act in maintaining records of all referrals and subsequent investigations received by the School.

Additionally, the Business Manager (where appropriate) on behalf of the Headteacher will lead on all financial referrals, including those where there are significant financial implications to an allegation, whilst not explicit within the referrals. The Business Manager will ensure that concerns raised through the informal process are logged and trends identified.

Human Resources of behalf of the Headteacher will lead on allegations regarding serious misconduct of School employees. The HR team will advise and support employees involved in the investigation process to ensure that such processes are fair and supportive to all those involved.

The Headteacher will lead on allegations regarding misconduct of School Governors.

The Chair of Governors will lead on allegations regarding misconduct of the Headteacher.

Employees: In all contracts of employment there is an implied understanding of mutual trust and confidence between the employer and employee. All employees, therefore, have a responsibility to raise concerns about work and they may do so in the manner described in this policy.

Line Managers: Must create an open and fair culture within their area of responsibility and ensure that staff concerns are listened to and action taken where necessary. Line managers are responsible for ensuring that there is a safe environment for staff to raise their concerns and that there is no retribution as a result of someone raising their concerns.

Resources Committee: is responsible for assuring the School that the risks across the School are being identified and managed. It is therefore responsible for ensuring that this policy is robust in identifying concerns and that the identified risks are addressed. It is also responsible for ensuring that the principles within this policy are upheld.

10. HOW THE POLICY WILL BE MONITORED

The School has a responsibility for registering the nature of all concerns raised and to record the outcome.

This policy will be publicised via the School Website and SharePoint and:

- Every new employee will have access to the policy via SharePoint when joining the School
- Contractors or partners will be informed of the policy by the Business Manager when working directly with the School. See Annex A.
- This procedure will be kept under review and any amendments will be subject to consultation with staff representatives. It will be reviewed by the School's Resources Committee annually.

11. ANNEX A PROCEDURE FOR CONTRACTORS / PARTNERS

As a first step contractors should normally raise concerns with their manager, who will then inform their contact at the school (as appropriate) who is dealing with that particular contract. If contractors do not have a manager, they should raise their concerns direct with their contact at the school. This depends on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if contractors believe that their manager or their contact at the school is involved, they should approach the Headteacher or Human Resources at the School directly. Otherwise their contact at the school receiving notification of concerns under this policy will inform Human Resources that a confidential report has been received and provide a copy. If the concern relates to financial irregularities or failures of financial controls the lead School officer receiving the report will also immediately notify the Business Manager.

Concerns may be raised verbally or in writing. Individuals who wish to make a written report are invited to use the following format:

- The background and history of the concern (giving relevant dates)
- The reason why the individual is particularly concerned about the situation.

It should be noted that often the earlier a concern is expressed the easier it is to take appropriate action. Alternatively contractors may wish to get confidential advice from their trades union or professional association. Contractors may wish to consider discussing their concerns with a colleague first and may find it easier to raise the matter if there are two (or more) colleagues who have had the same experience or concerns.

Contractors may invite their trades union or professional association representative or work colleague to be present during any meetings or interviews in connection with the concerns they have raised.

12. CHANGES LOG

Section Changed	Paragraph	Changed by	When change made
Two - Introduction	Inserted paragraph 2 and 8	Kym Harper	4 th Sept 2013
Three - Background	Inserted entire chapter	Kym Harper	6 th Sept 2013
Three - Background	Added last sentence to last paragraph	Kym Harper	4 th Oct 2013
ALL	Read & Updated	Dean Johnson	31.3.2015
All	Read and updated and reviewed	Tracey Jones	1.1.16
Governing Body to Board. Director of Business to Business Manager. Grammatical changes.		Jane Kenyon	02.02.18