



Wakefield Grammar School Foundation

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Checker Person Name Quality Assurance	Simon Chamberlain, Chair of Governors
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CHANGE RECORD - REVIEW PERIOD 1 YEAR

Version	Date	Change details
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V1.01	Aug 2023	Reviewed, Heads

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WGSF Whistleblowing Policy

1. Statement of intent

Wakefield Grammar School Foundation (hereafter known as WGSF) is committed to open and honest communication and the highest possible standards in integrity, and will treat whistleblowing as a serious matter.

In line with the WGSF commitment to openness, probity and accountability, members of staff are encouraged to report concerns which will be taken seriously, investigated, and appropriate action taken in response. Such action is termed “whistle-blowing”; this phrase is used throughout this policy, and should be viewed as a positive action of speaking up.

The purpose of this policy is to make clear that employees can and should voice concerns without fear of victimisation, subsequent discrimination or disadvantage. It is intended that this policy will encourage and enable employees to raise serious concerns within the school and WGSF rather than overlooking a problem or ‘whistleblowing’ outside the organisation.

This policy seeks to ensure that any person suspecting malpractice knows how to raise concerns and what procedures are in place to deal with the concern. It is recognised that most cases will have to proceed on a confidential basis.

2. Legal framework

This policy has due regard to statutory legislation including, but not limited to:

- The Public Interest Disclosure Act 1998 (PIDA)
- The Public Concern at Work Guidelines 1997

3. Introduction

Statutory protection for employees who whistle-blow is provided by The Public Interest Disclosure Act 1998 (PIDA), which protects employees who speak out about concerns about conduct or practice within the school which is potentially illegal, corrupt, improper, unsafe, unethical or amounts to malpractice.

This policy has been written in accordance with the government’s [Whistleblowing for Employees](#) guidance document and is to be read in conjunction with the [WGSF Low Level Concerns Policy](#).

Serious malpractice may involve governors, managers, colleagues / clients or suppliers of goods and services to the organisation. Therefore, WGSF has introduced this policy to enable staff to raise concerns, which are in the public interest, through internal procedures.

This policy applies to all school staff, including full and part time, casual, temporary and substitute staff, and to individuals undertaking work experience within the Foundation / WGSF.

Disclosures made under this procedure will be monitored for statistical purposes as required under the PIDA. Details of any disclosure remain confidential.

The School Heads are the first point of contact for whistleblowing queries. In the event that the allegation is related to a Head, then issues will be raised with the Chair of the Governing Body, Green House, Governors' Office, 158 Northgate, Wakefield, WF1 3UF. T. 01924 231600.

4. Roles and Responsibilities

The Governing Body of WGSF has overall responsibility for ensuring that the Whistleblowing Policy is managed appropriately in accordance with this agreed procedure.

The School Heads, with line managers, are responsible for making employees aware of the existence of this policy. The School Heads are responsible for maintaining a record of concerns raised and outcomes (but in a form which does not endanger confidentiality) and will report to the Governing Body as necessary.

Employees are responsible for making themselves familiar with and complying with this policy.

5. What is a whistle-blower?

A whistle-blower is an individual who discloses confidential information regarding an employee, which relates to potentially illegal, corrupt, improper, unsafe, unethical or amounts to malpractice.

Under this policy, any of the following can raise a concern:

- Employees of the Foundation.
- Employees of contractors working for the Foundation for example, agency staff, builders and drivers.
- Employees of suppliers.
- Voluntary whistle-blowers working within the Foundation.
- A trainee, such as a student teacher.

6. Scope

Employees could be the first to realise that there may be something seriously wrong within the WGSF. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Foundation. They may also fear harassment or victimisation. In these circumstances the whistle-blower may feel it is easier to ignore the concern rather than report what may just be a suspicion of malpractice.

Whistle-blowers are reassured that raising serious concerns is 'doing the right thing'. Where a whistle-blower has concerns, raising the concern is in the best interest of colleagues and of pupils within the school / WGSF. Raising concerns will often aid the protection of children and also be caring for other colleagues / workers.

Qualifying disclosures are disclosures of information where the whistle-blower reasonably believes (and it is in the public interest) that one or more of the following matters is either happening, has taken place, or is likely to happen in the future:

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment

- Bribery or corruption
- A deliberate attempt to conceal any of the above

Where an issue relates to an individual's own employment the employee should raise the issue under the Grievance Procedure in the first instance. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures.

Any serious concerns that an employee may have about any aspect of conduct by employees of the school/WGSF or others acting on behalf of the school/WGSF may be reported under this policy. This policy does not replace the school's complaints procedure.

7. Safeguards against harassment or victimisation

WGSF recognises that the decision to report a concern can be a difficult one to take, not least because of the fear of reprisal from those responsible for the malpractice or from the WGSF as a whole; however, the WGSF will not tolerate any such harassment or victimisation and will take appropriate action in order to protect staff who raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence, or be influenced by, any disciplinary or redundancy procedures that already affect an employee.

Any member of staff who victimises or harasses another member of staff, as a result of their having raised a concern in accordance with the whistleblowing policy, will be dealt with under the school's staff disciplinary procedures.

If a member of staff makes an allegation in good faith but it is not confirmed by further inquiry, the matter will be closed and no further action will be taken; however, if the inquiry shows that untrue allegations were malicious or made for personal gain, then the WGSF will consider taking disciplinary action.

8. Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal the identity of a whistle-blower who raises allegations under this policy. At the appropriate time, however, the whistle-blower may need to come forward as a witness.

Whistle-blowers are encouraged to put their name to allegations wherever possible. This is because concerns expressed anonymously are much more difficult to investigate. Therefore anonymous allegations will be considered at the discretion of the School Heads in consultation with the Chair of the Governing Body.

9. Procedure

In most circumstances the whistle-blower should raise concerns with the School Head. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. For example, if the whistle-blower believes that a member of the Senior Leadership Team is involved, the whistle-blower should approach the Head or Chair of Governors.

Concerns may be expressed verbally (initially) or in writing to the Head, and will include:

- background and history of the concern
- names, dates and places where possible
- express the reasons for the concern.

Although the whistle-blower is not expected to prove beyond reasonable doubt the truth of an allegation, the whistle-blower should demonstrate to the person contacted that there are reasonable grounds for the concern.

An employee may wish to consider discussing the concern with a colleague or trade union representative first and may find it easier to raise the matter if there are other colleagues who have the same experience or concerns.

Anyone feeling unsure can seek confidential advice at any time from Protect, a registered charity which advises on serious malpractice in the workplace. For more information, visit their website [Protect](#) or contact them on **020 3117 2520**.

The whistle-blower is not responsible for investigating the alleged illegal or dishonest activity, or for determining fault or corrective measures.

10. What happens next

Once the Chair of Governors / Head has been informed of the concern, it is then their responsibility to investigate the matter further either themselves or by delegating to a member of the Senior Leadership Team.

In order to protect individuals and those accused of malpractice, 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.

Within 10 working days of a concern being raised the Head or Chair of Governors will write to the whistle-blower:

- Acknowledging that a concern has been raised
- Indicating how it is proposed the matter will be dealt with
- Giving an estimate of how long it will take to provide a final response
- Telling the whistle-blower whether any initial enquiries have been made
- Telling the whistle-blower whether further investigations will take place and if not, why not.

The amount of contact between the Investigating Officer and the whistle-blower will depend on the nature of the matters raised; the potential difficulties involved and the clarity of information provided. If necessary the investigating officer will seek further information from the whistle-blower.

If the investigating officer needs to talk to the whistle-blower, they are permitted to be accompanied by a trade union representative, a professional association representative, a friend, or a fellow member of staff not involved in the area of work to which the concern relates. This person will provide support only, and will not be allowed to become involved in the proceedings.

11. At the end of the process

A record will be made of the nature and outcome of the concern. The purpose of this is to ensure that a central record is kept, which can be cross-referenced with other complaints, in order to monitor any patterns of concern across WGSF / individual schools and to assist in monitoring the procedure.

The whistle-blower will be informed of the results of the investigation, and any action that is proposed will be subject to third party rights; where action is not taken, the individual will be given an explanation.

12. Appeal process

The aim of this policy is that whistle-blowers should be able to raise concerns internally within WGSF / schools and it is hoped that the whistle-blower will be satisfied with any action taken. If this is not the case then they may raise their concerns to the Governing Body.

If the whistle-blower disagrees with the decisions made, they will request, in writing to the Head, within two weeks of receiving the notification, a review of the decision stating the grounds for requesting the review.

If the whistle-blower chooses to take the matter outside of WGSF then the employee should ensure that they do not disclose confidential information. An employee must not take concerns directly to the media.

12.1 If you're treated unfairly after whistleblowing

An individual can take a case to an employment tribunal if they have been treated unfairly as a result of whistleblowing.

Further information can be sought from [Protect](#), an individual's trade union or the police.

Any claims of unfair dismissal must be made within three months of the investigation ending.

13. Monitoring and Review

This policy is reviewed annually by the **School Heads and the Director of Finance and Operations**.

Any changes made to this policy by the above will be communicated to all members of staff. The policy is available for public view on the WGSF website.

All members of staff are required to familiarise themselves with all processes and procedures outlined in this policy as part of their induction programme.