



Wakefield Grammar School Foundation

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CHANGE RECORD (Annually)

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WGSF Whistleblowing Policy and Procedure

1. Aims:

- To provide a clear and fair way for employees, workers and contractors to raise a concern about the conduct of the organisation or its employees concerning unlawful, unethical or unsafe practices.
- To protect the confidentiality of whistleblowers and ensure that they don't suffer reprisal or retaliation for raising issues.

2. Scope and Legal Framework

2.1 This policy applies to:

Employees, workers and subcontractors. It should not be used for allegations made by pupils, parents or members of the public. These people should use the Schools Complaints Procedure or complain to the relevant regulator. Safeguarding concerns should be raised through the schools existing policies.

2.2 This policy is underpinned by the legal provisions contained in:

- [Public Interest Disclosure Act 1998](#)
- [Employment Rights Act 1996](#)

2.3 This policy does not form part of your contract of employment and will be reviewed regularly. Where we intend to make significant changes to the provisions in a policy we will engage staff in appropriate consultation beforehand.

3. The relationship between the Whistleblowing Policy and the Grievance Policy

3.1 The Whistleblowing Policy allows individuals to raise a formal concern about illegal, unsafe or unethical practice by the organisation or its employees. This is usually as a result of things that have been witnessed, experienced or come to light through working for or with the School.

3.2 A grievance is a complaint by an individual about their own treatment by their employer. These should be raised through the Grievance Procedure.

3.3 HR can advise you as to which policy is correct if you are unsure. An individual might have cause to submit both a grievance and a whistleblowing concern but they will need to address different matters.

4. The sort of issues covered by Whistleblowing

4.1 The list below is issues that are protected as public disclosures; it is a good guide to the sort of things that should be reported through this policy and procedure.

- Illegal activity, criminal or unlawful
- Unsafe practices that put you or other people at risk of harm
- Corruption, Bribery or Fraud
- A failure to meet a statutory obligation
- Any attempt to cover up illegality or wrongdoing
- Unlawful damage to the environment

In addition any attempt by an employee to make work decisions that further their own personal or financial interests or create a conflict of interest would be in scope.

5. Protection for Whistleblowers

- 5.1 The decision to report an employee or the school is not an easy one. Staff may worry about the impact on colleagues, pupils or the school's reputation. They may also worry about reprisal for raising a concern. However if the school or its staff are involved in illegal, unethical or unsafe behaviour that also presents a big risk to everyone at the school. Staff are encouraged to raise concerns in good faith as part of the school's commitment to excellence, improvement, openness and full accountability.
- 5.2 Whistleblowing complaints can be submitted anonymously. If they are not then the school has a legal duty to protect the identity of the whistleblower. We would encourage whistleblowers to disclose their identity as it can make the investigation more effective and add credibility to the allegations.
- 5.3 Any employee who attempts to take retaliatory action against a whistleblower will be subject to the WGSF Discipline and Conduct Policy.
- 5.4 Whistleblowing to the school does not prevent a complainant from also reporting the matter to the relevant statutory body such as the Police, Health and Safety Executive or the Independent Schools Inspectorate/DFE.

6. Raising a Whistleblowing Complaint and the investigation

- 6.1 Complaints should be made in writing to the Executive Head unless they are specifically implicated in your complaint. In that case the complaint should be made to the Chair of Governors. If both of these parties are implicated you can send your complaint to the Director of Finance and Operations, Head of the Preparatory Section or one of the three Deputy Heads.
- 6.2 The Individual who receives the allegations will either investigate the matter themselves or appoint an appropriate member of the Senior Leadership team to look into the matter. In some cases it may be more appropriate to appoint a suitable external investigator.
- 6.3 The investigator will always start by interviewing the complainant if they have been identified, in a safe and confidential location or online. This allows the investigator to get the fullest possible picture of the concerns before looking into the matter further.
- 6.4 After 10 working days the investigator will meet with the complainant again to update them on their findings or give them the final outcome of the investigation.
- 6.5 The school will endeavour to ensure that whistleblowers are given full feedback on the conclusion of the investigation, in person, no later than 1 month after the allegations are received.
- 6.6 At the end of the investigation the school will tell the whistleblower what has been found. If the investigation reveals any matters of concern the school will also say what it intends

to do to put things right, and discuss with them any measures we need to put in place to support and protect them.

- 6.7 The school has a range of duties around confidentiality and personal data so when we give feedback we can only provide information that does not breach any of these duties.
- 6.8 Once we have fed back, we will write to the complainant with a written statement that the matter is closed.

7. Right of Appeal

- 7.1 Even if the whistleblower is dissatisfied with the outcome of the investigation they have no right of appeal against our findings.
- 7.2 The whistleblower can still raise the matter with any appropriate regulatory body or authority.
- 7.3 If a whistleblower feels they have been treated poorly as part of the investigation they can raise a grievance to this effect.

8. Support and advice for Whistleblowers

- 8.1 Whistleblowers who work for us can talk in total confidence to our Employee Support Provider accessed through the web portal here: [4me](#).
- 8.2 The national Charity [Protect](#) has lots of resources on their website and can advise individuals on their rights and the best approach to take.
- 8.3 Staff who are members of a trade union can discuss the matter with them in confidence. It may be more appropriate depending on the nature of the complaint to contact the Union Branch Office to do this rather than talk to a local workplace representative.

9. Vexatious Complaints

- 9.1 We will treat all allegations under this policy as having been made in good faith and assume the whistleblower acted on a reasonable suspicion.
- 9.2 If an employee whistleblowing complaint after investigation is found to be totally vexatious the school may take disciplinary action against the individual.

10. At the end of the process

- 10.1 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 by HR, 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 policy and procedure.