



Whistleblowing Policy (Harrow Council Version Adopted)

Written by:	Mr I Sutherland
Approved by:	Governing Body
Last reviewed on:	01/03/2022
Next review due by:	01/03/2024

1. Policy Statement

Grimsdyke School is committed to the highest possible standards of conduct, openness, honesty and accountability and takes seriously any issues of malpractice or wrongdoing. Workers are often the first to realise there may be something seriously wrong within the workplace and Grimsdyke School expects workers who have serious concerns about any aspect of Grimsdyke School's work to come forward and voice those concerns and to feel supported when doing so.

The Public Interest Disclosure Act 1998 (PIDA) protects workers who 'blow the whistle' about malpractice or wrongdoing within an organisation. This Act makes provision on the kinds of disclosures which may be protected, the circumstances in which such disclosures are protected and persons who may be protected.

2. Who is covered by the Policy?

This policy and procedure applies to all school employees, permanent and temporary, agency workers, contractors and their staff and Elected Members. It also covers suppliers and those providing services under a contract with Grimsdyke School. The term "worker" within this document is used to describe any of the above.

This policy does not form part of an employee's contract of employment.

3. Why do we need a Policy?

This policy and procedure is intended to encourage and enable workers to raise serious concerns within Grimsdyke School rather than overlooking a problem or feeling the need to "blow the whistle" outside.

This policy and procedure aims to:

- encourage workers to feel confident in raising serious genuine concerns and to question and act upon concerns;
- provide avenues for workers to raise those concerns and receive feedback on any action taken;
- encourage and enable workers to raise serious concerns within Grimsdyke School rather than overlooking a problem or taking it outside of the organisation.
- ensure that workers are aware of how to pursue concerns if they are not satisfied with the action taken;
- reassure workers in the strongest terms that they will be protected from possible reprisals or victimisation for Whistleblowing in good faith in accordance with this procedure.
- ensure for consistency and fairness in dealing with Whistleblowing across Grimsdyke School.

It is recognised that cases may have to proceed on a confidential basis.

4. What is covered by this Policy?

Disclosing a concern which the worker honestly and reasonably believes suggests that malpractice or wrongdoing has happened, is in the process of being committed or is likely to be committed, would qualify for protection under PIDA. Malpractice or wrongdoings include:

- 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; or

- deliberate covering up of information tending to show any of the above.

Although not covered by PIDA, it should be noted that school employees have a duty to report to the authority any impropriety, breach of procedure or failure of the manner in which services are being provided without fear of recrimination (see Code of Conduct 2).

For the avoidance of doubt, this includes a duty to report a suspected breach of Grimsdyke School's Constitution (including Contract Procedure Rules and Financial Regulations) e.g., school employees have an obligation to report financial impropriety to Internal Audit/Corporate Anti-Fraud Team.

Issues not covered in the above list will be dealt with in one of the ways outlined in Section 8.5 below.

School employees can seek guidance and advice on how to pursue matters of concern from Human Resources.

5. Safeguards against Harassment or Victimisation

Grimsdyke School will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action, within its power, to protect workers when a concern is raised. Workers who suffer harassment or victimisation should inform the individual with whom they raised their initial concern.

Employees that make a Qualifying Whistleblowing Disclosure in accordance with this Policy will be protected from victimisation, discrimination, dismissal or other related detriment as a result of their disclosure.

PROCEDURE FOR RAISING A CONCERN

See Appendix 1

6. How to Raise a Concern

- Concerns may be raised orally or in writing.
- The worker needs to ensure that the person with whom they raise the concern is fully aware that they are using this procedure.
- School employees may wish to discuss their concern in confidence with their Trade Union representative or work colleague and/or invite their trade union representative or work colleague to be present during any meetings or interviews in connection with the concerns raised.
- School employees can seek guidance or advice on how to pursue matters of concern from the Human Resources and advice/support may also be sought from a Trade Union Representative.
- The earlier the concern is raised the easier it is to take action.
- It will be helpful to provide the background and history of the concern (giving relevant dates, names & locations), the reasons for the particular concern about the situation and details of evidence / witnesses.
- School employees may seek assistance with preparing this information from an HR Adviser or Trade Union representative.

7. To whom do I Report my concerns?

Concerns should normally be raised with the Headteacher.

School employees who do not wish to raise the issue with the Headteacher because of the nature, seriousness or sensitivity of the issues involved, can raise their concerns with their Director, or go direct to the Director of Finance (151 Officer), Director of Legal and Governance Services (Monitoring Officer) or the Chief Executive.

If the concern relates to the Headteacher, this should be referred to the Chair of the Governing Body.

For guidance on raising concerns outside Grimsdyke School, see Section 9 below.

8. How Grimsdyke School Will Respond

- 8.1 Within 5 working days, the person with whom the concern was raised will acknowledge its receipt in writing, irrespective of how the concern was raised.
- 8.2 Investigation does not imply either acceptance or rejection of an individual's concerns
- 8.3 The initial enquiry will be undertaken, wherever possible within 10 working days, by the most appropriate Officer(s). This will not involve a detailed investigation, however, sufficient information will need to be gathered in order that a decision can be made as to whether further investigation will take place.
- 8.4 Where appropriate, the matters raised may:
 - be investigated by the Headteacher and senior leadership team, internal audit, or through the disciplinary process
 - be referred to the police
 - be referred to the external auditor or other external investigation
 - form the subject of an independent inquiry
 - be investigated under another procedure e.g. child/adult protection
 - be investigated under other forms of prosecution and inspection e.g. to protect public health and safety
- 8.5 In order to protect individuals and those accused of misdeeds or possible malpractice or wrongdoing, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which Grimsdyke School will have in mind is the public interest. 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.
- 8.6 Within fifteen working days of a concern being raised, the person with whom the concern has been raised will write to the individual who raised the matter:
 - indicating how they propose to deal with the matter
 - giving an estimate of how long it will take to provide a final response
 - informing them whether any initial enquiries have been made
 - supplying them with information on staff support mechanisms, and
 - informing them whether further investigations will take place and who will conduct that investigation, or
 - explaining the reasons why no investigation is to be carried out.
- 8.7 It may be necessary, as part of the investigation, to obtain additional information from the individual who raised the concern.

- 8.8 The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the concern until (or if) it becomes necessary to do so. This may be appropriate in cases of suspected fraud.
- 8.9 Grimsdyke School accepts that individuals who raise a concern need to know that the matter has been properly addressed. Thus, subject to legal constraints, the worker will be given feedback on any action taken. However, it will not include information relating to specific individuals, which will remain confidential.

9. How the Matter can be taken Further

This policy and procedure is intended to provide workers with an avenue within Grimsdyke School to raise concerns. Grimsdyke School hopes workers will be satisfied with any action taken. If not, and they feel it is right to take the matter outside Grimsdyke School, the matter can be raised with the relevant organisation(s) as listed in Appendix 2.

There may be circumstances where a worker considers that (s)he needs to raise the matter externally. This may be because, for example, there is a need to involve the appropriate external regulatory body, or the worker considers that the matter has not been properly addressed, or that a worker reasonably believes that the matter will be covered up.

If a worker is unsure whether or how to raise a concern or wants confidential advice, contact can be made with the independent charity Public Concern at Work on 020 7404 6609 or at helpline@pcaw.co.uk. Their lawyers can provide free confidential advice on how to raise a concern about serious malpractice or wrongdoing at work.

Further information can also be obtained from the website of the employment service, ACAS (the Advisory, Conciliation and Arbitration Service) at www.acas.org.uk.

In circumstances where a worker decides to raise the matter externally, (s)he will only be protected under this procedure, and under employment law, where the disclosure is made in accordance with the PIDA. This means that the disclosure must fall under one of the categories listed in paragraph 4 above and must be made in one of the following ways:

- a) in the course of obtaining legal advice
- b) to a prescribed regulatory body (listed in Appendix 2) provided the disclosure is made in good faith and the worker reasonably believes the prescribed body is responsible for the matter of concern and that the allegations are substantially true;
- c) to other third parties where the worker makes the disclosure;
 - in good faith, with reasonable belief that the information and allegations are substantially true, and
 - does not make the disclosure for personal gain, and
 - has already raised the matter with Grimsdyke School or prescribed regulator, unless the worker reasonably believes that (s)he will suffer a detriment, or there is not prescribed regulator and (s)he reasonable believes that evidence will be concealed or destroyed if (s)he makes the initial disclosure to the school, and
 - in all of the circumstances it is reasonable to make the disclosure.
- d) The disclosure is of an exceptionally serious nature and the whistleblower makes the disclosure:
 - In good faith, with reasonable belief that the information and allegations are substantially true, and
 - Does not make the disclosure for personal gain, and
 - In all of the circumstances it is reasonable to make the disclosure.

School employees who wish to take the matter outside Grimsdyke School should check with their Trade Union representative or Human Resources that they are not in breach of Grimsdyke School's Code of Conduct.

School employees should not, in any circumstances, approach the media/press.

10. Support for Workers raising a Concern and others affected by the Raising of a concern

- Grimsdyke School is committed to good practice and high standards and wants to be supportive of individuals who raise concerns.
- Grimsdyke School will also support individuals affected by the raising of a concern as appropriate.
- School employees experiencing stress as a result of their involvement in this process can seek counselling and support from Grimsdyke School's Occupation Health Service or Employee Assistance Programme.
- School employees can also approach their Trade Union for advice/support throughout the procedure.
- School employees may also approach their Employee Support Group for support throughout the procedure.
- The employee may find it helpful to involve his or her manager, particularly if they can identify specific support that would be helpful and which the manager feels are reasonable.
- Grimsdyke School will take steps to minimise any difficulties which individuals may experience as a result of raising a concern, e.g. if they are required to give evidence in criminal or disciplinary proceedings Grimsdyke School will arrange for them to receive advice about the procedure and, if necessary, be fully prepared for a Court appearance.
- Where the raising of a concern affects a group of staff, the relevant manager will, having made an assessment, take appropriate action to support the workgroup.

11. Confidentiality

If a worker raises an issue, every effort will be made not to reveal their identity. It must be recognised, however, that in order to investigate the matter, information must be obtained and/or other workers questioned, therefore total confidentiality cannot be guaranteed. If criminal proceedings require that information is passed on it may become necessary to reveal the worker's identity. In such situations the worker will be consulted before this action is taken, however, Grimsdyke School will endeavour to maintain confidentiality whenever possible.

12. Anonymous Allegations

Where a concern is raised anonymously, these will be considered at the discretion of the Headteacher/Chair of Governors taking into account the seriousness of the issues raised; the credibility of the concern; and the likelihood of confirming the allegation from attributable sources.

13. Untrue Allegations

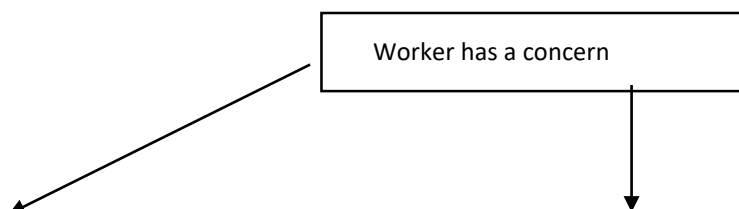
Grimsdyke School expects that whistleblowing will be made in "good faith" and will treat abuse of the Whistleblowing procedure extremely seriously. Grimsdyke School reserves the right to

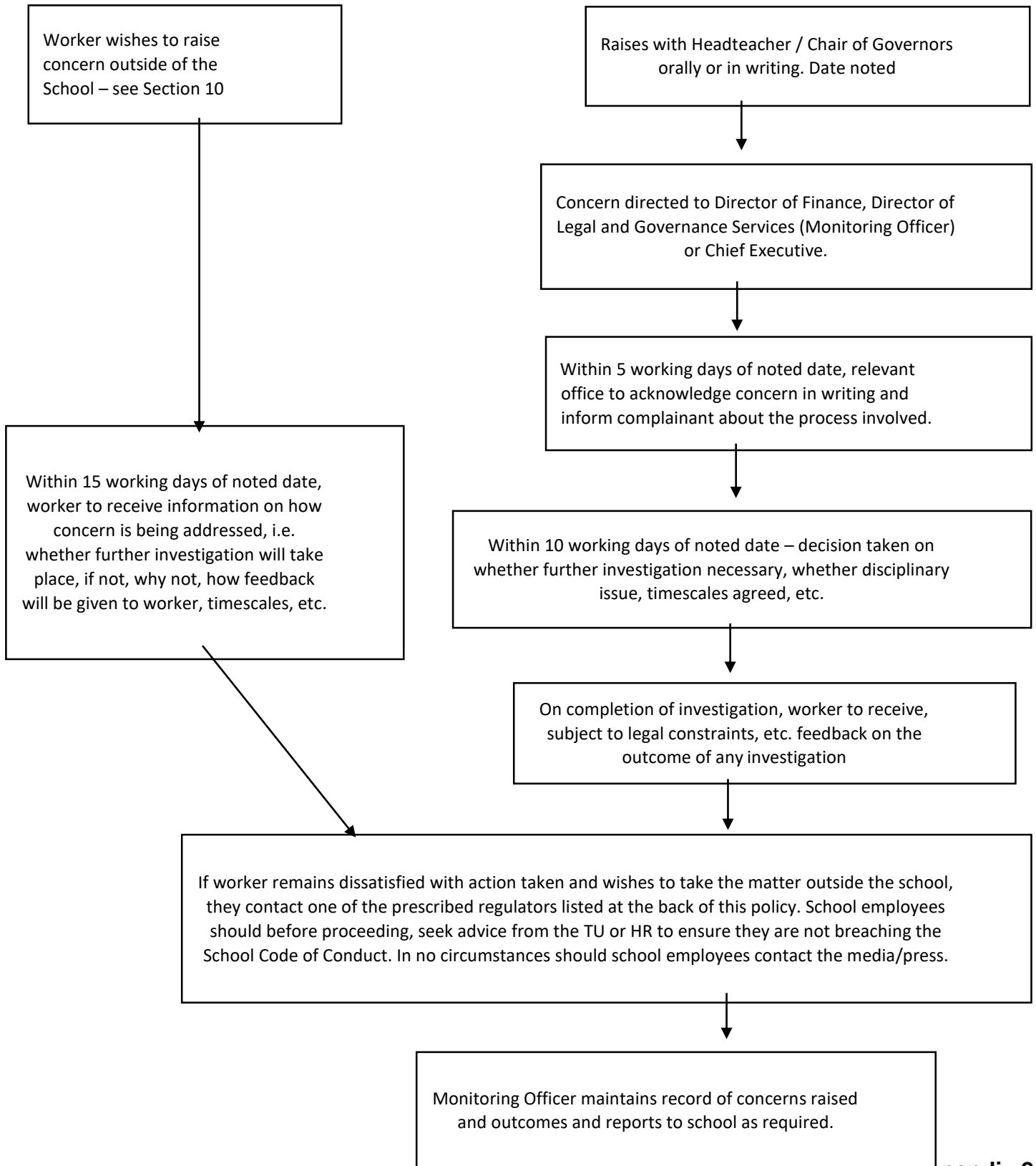
take appropriate action against the whistleblower if they are found not to be acting in good faith.

14. The Responsible Officer

The Director of Legal and Governance Services who is Harrow Council's Monitoring Officer, has overall responsibility for the maintenance and operation of this policy and procedure. This officer maintains a record of concerns raised and the outcomes and will report as necessary to Grimsdyke School (but in a form which does not endanger confidentiality). All concerns raised through this policy and procedure should be reported to the Monitoring Officer by the manager with whom the concern was originally raised.

Appendix 1:





Appendix 2

This is an edited list of the Prescribed Regulators for England, Scotland and Wales – the original list was produced by Public Concern at Work - website: www.pcaw.co.uk

Prescribed Regulator	Matters in respect of which regulator is prescribed
The Charity Commission Charity Commission Direct	The proper administration of charities and of funds given or held for charitable purposes.

<p>PO Box 1227 Liverpool L69 3UG Tel: 0845 300 0218 www.charity-commission.gov.uk</p>	
<p>Independent Police Complaints Commission Commission PO Box 473 Sale M33 0BW Tel: 03000 2000 96 Fax: 020 7404 0430 www.ipcc.gov.uk</p>	<p>serving with the police (as defined in section <small>exercises functions in or under any</small> of the Police reform Act 2002) or of any other person in relation to whose conduct</p>
<p>The competent authority under Part IV of the Financial Services and Markets Act 2000 London Stock Exchange 10 Paternoster Square London EC4M 7LS Tel: 020 7797 1000</p>	<p>The listing of securities on a stock exchange; prospectuses on offers of transferable securities to the public.</p>
<p>The Care Quality Commission CQC National Customer Service Centre Citygate Gallowgate Newcastle Upon Tyne NE1 4PA Tel: 03000 616161 www.cqc.org.uk</p>	<p>The Care Quality Commission is the independent regulator of health and social care in England. CQC regulate health and adult social care services, whether provided by the NHS, local authorities, private companies or voluntary organisations. And, protect the rights of people detained under the Mental Health Act.</p>
<p>The Commissioners for Her Majesty's Revenue and Customs Cross Cutting Policy Room 1E/04 1 Parliament Street London SW1A 2BQ E-mail: customs.confidential@hmrc.gov.uk</p>	<p>VAT, insurance premium tax, excise duties and landfill tax. The import and export of prohibited or restricted goods. Income tax, corporation tax, capital gains tax, petroleum revenue tax, inheritance tax, stamp duties, national insurance contributions, statutory maternity pay, statutory sick pay, tax credits, child benefits, collection of student loans and the enforcement of the national minimum wage.</p>
<p>Controller and Auditor General of the National Audit Office National Audit Office 157-197 Buckingham Palace Road Victoria London SW1W 9SP Tel: 020 7798 7000 Whistleblowing line: 020 7798 7999 www.nao.gov.uk</p>	<p>The proper conduct of public business, value for money, fraud and corruption in relation to the provision of centrally funded public services.</p>

<p>Director General of Water Services Office of Water Services Centre City Tower 7 Hill Street Birmingham B5 4UA Tel: 0121 6447500 Fax: 0121 6447559 www.ofwat.gov.uk</p>	<p>The supply of water and the provision of sewerage services.</p>
<p>The Director of the Serious Fraud Office</p>	<p>Serious or complex fraud.</p>

<p>2 – 4 Cockspur Street London SW1Y 5BS Tel: 020 7239 7272 Fax: 020 7837 1689 www.sfo.gov.uk</p>	
<p>The Environment Agency Rio House Waterside Drive Aztec West Almondsbury Bristol BS12 4UD Tel: 0800 807060 (24 hour line) or enquiries 03708 506506 Fax: 01454 624409 www.environment-agency.gov.uk</p>	<p>Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment including those relating to pollution, abstraction of water, flooding, the flow of rivers, inland fisheries and migratory salmon or trout.</p>
<p>Food Standards Agency Aviation House 125 Kingsway London WC2B 6NH Tel: 020 7276 8829 Emergencies only: 08450518486 www.food.gov.uk</p>	<p>Matters which may affect the health of any member of the public in relation to the consumption of food and other matters concerning the protection of the interests of consumers in relation to food.</p>
<p>Health & Care Professions Council Park House 184 Kennington Park Road London SE11 4BU Tel: 08453006184 www.gsc.org.uk</p>	<p>Matters relating to the registration of social care workers under the Care Standards Act 2000.</p>
<p>Health and Safety Executive Caerphilly Business Park Caerphilly South Wales CF83 3GG Tel - fatal and major incidents only: 0845 300 9923 www.hse.gov.uk</p>	<p>Matters which may affect the health or safety of any individual at work; matters which may affect the health and safety of any member of the public arising out of, or in connection with, the activities of persons at work.</p>
<p>Homes & Communities Agency Maple House 149 Tottenham Court Road London W1T 7BN Tel: 03001234500 enquiries@tsa.gsi.gov.uk www.tenantservicesauthority.org</p>	<p>The registration and operation of registered social landlords, including their administration of public and private funds and management of their housing stock.</p>
<p>Local Authorities (The local authority which under section 18 of the Health and Safety at Work etc Act 1974 is responsible for the enforcement of the relevant statutory provisions)</p>	<p>Matters which may affect the health or safety of any individual at work; matters which may affect the health and safety of any member of the public arising out of, or in connection with, the activities of persons at work.</p>

<p>Information Commissioner The Office of the Information Commissioner Wycliffe House Water Lane Wilmslow Cheshire SK9 5AF Tel: 01625 545745 Fax: 01625 524510 www.ico.org.uk</p>	<p>Compliance with the requirements of legislation relating to data protection and to freedom of information*. (*Data protection legislation regulates the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information) (*Freedom of information legislation provides for the disclosure by public authorities of the information that they hold).</p>
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E-mail: mail@ico.gsi.gov.uk	
The Pensions Regulator Napier House Trafalgar Place Brighton BN1 4DW Tel: 0845 600 7060 www.thepensionsregulator.gov.uk	Matters relating to occupational pension schemes and other private pension arrangements.
HM Treasury 1 Horse Guards Road London SW1A 2HQ Tel: 020 7270 5000 public.enquiries@hm-treasury.gov.uk www.hm-treasury.gov.uk	The carrying on of insurance business.
Secretary of State for Business, Innovation and Skills Companies Investigation Branch Department of Business, Innovation and Skills 1 Victoria Street London SW1H 0ET Tel: 020 7215 5000	Fraud and other misconduct in relation to companies, investment business, insurance business, or multi-level marketing schemes (and similar trading schemes); insider dealing.
LOCAL AUTHORITIES WHICH HAVE RESPONSIBILITY FOR ENFORCEMENT OF CONSUMER PROTECTION LEGISLATION	Compliance with the requirements of consumer protection legislation.
Local authorities which are responsible for the enforcement of food standards	Compliance with the requirements of food safety legislation.