

GHYLLSIDE PRIMARY SCHOOL



'Inspiring Achievement, a Love of Life and Learning for All'

WHISTLEBLOWING PROCEDURE AND POLICY 2025

(Based on the Cumbria County Council / Westmorland and Furness Policy)

Values

Our school values are expressed through our school vision:

Ghyllside School Vision and Values

'For every child to fulfil their potential, leaving Ghyllside happy, confident and kind to all'

Our Mission: Ghyllside Primary School – Growing Hearts and Minds

Our Values: Inspiring Healthy Inclusive Nurturing Experiences

As a school we recognise that this vision needs to be delivered in a working environment that is open and transparent. As such we would encourage an employee to use the following whistleblowing procedure which is made clear in this policy in the event of a whistleblowing incident

1. Introduction

- 1.1. Our school expects the highest standards from all employees, including staff in schools, and will treat seriously any concern that an employee may have about illegal or improper conduct.
- 1.2. The Public Interest Disclosure Act 1998 is in force and affords statutory protection to 'whistleblowers' in certain circumstances. Under the Public Interest Disclosure Act, a worker has the right not to suffer detriment or be unfairly dismissed as a result of speaking out about malpractice. If an employee is dismissed solely in these circumstances he/she is likely to be treated by an Employment tribunal as unfairly dismissed.
- 1.3. Employees are often the first to realise that there may be something seriously wrong within a School. Their concerns might relate to matters that could affect the School itself, the local County Council and/or the Council's employees, members of the schools governing body or the wider public. However, employees may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.4. The School is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, employees and others with serious concerns about any aspect of the School's work are encouraged to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis. This Whistleblowing Procedure is intended to encourage and enable staff to raise serious concerns within the School rather than overlooking a problem. This procedure makes it clear that staff can do so without fear of reprisals.
- 1.5. This procedure has been discussed with the Recognised Trade Unions and has their support. It explains how the School meets its obligations under the Public Interest Disclosure Act 1998.
- 1.6. This procedure can be used by any person who works or who has worked for the

School regardless of whether:

- the work was full or part time; or
- the work was temporary or permanent; or
- an employment agency was involved; or
- the person involved was a trainee or on work experience; or
- the person involved was working for a contractor.

2. What is the Purpose of the Procedure?

2.1. This procedure is designed to enable all employees (identified in paragraph 1.6 above) to notify senior colleagues/governors of any reasonable suspicion of illegal or improper conduct. 'Improper conduct' includes neglect of duty and maladministration. The Procedure requires all employees to act responsibly to uphold the reputation of the School and to help maintain public confidence.

2.2. The Procedure aims to:

- encourage employees to feel confident in raising serious concerns and to question and act upon concerns of malpractice;
- provide avenues to raise those concerns and receive feedback on any action taken;
- ensure that employees receive a response to their concerns and are aware of how to pursue them if they are not satisfied; and
- reassure employees that they will be protected from possible reprisals or victimisation if the disclosure was made in good faith.

3. When should it be used?

3.1. There are existing procedures in place to enable employees to lodge a grievance/harassment complaint relating to their own employment. This Whistleblowing Procedure is intended to cover concerns that fall outside the scope of other procedures. This Procedure should be used in matters which may include:

- conduct which is an offence or a breach of the law;
- disclosures related to actual or potential miscarriages of justice;
- health and safety risks, including risks to the public as well as other employees;
- damage to the environment;
- any attempt at concealing the above.

3.2. Any concerns that employees have about any aspect of service provision or the conduct of employees or governors of the School, or others acting on behalf of the School, can be reported under the Whistleblowing Procedure. This may be about:

- something that makes them feel uncomfortable in terms of known standards, their experience or the standards they believe the School subscribes to; or
- something that is against the School Procedures, Rules and Policies; or
- something that falls below established standards of practice; or
- something that amounts to improper conduct; or
- the unauthorised use of public funds; or
- fraud and corruption; or
- homophobic, racial, religious, sexual or physical abuse of clients, staff, governors; or
- other unethical conduct.

3.3. Employees must act in good faith and must have a reasonable belief that the information they disclose and any allegation contained in it are accurate. When it is

apparent from the investigation that the person making the disclosure has acted frivolously, maliciously or for personal gain, the School may decide to take disciplinary action against them. If the disclosure itself amounts to a criminal offence, this Procedure will not protect the employee from the consequences of that criminal offence. No employee who uses this Procedure in good faith will be penalised for doing so.

- 3.4. Financial Procedure Rules require employees who suspect fraud, corruption or other financial irregularity, to ensure this is reported to the Head of Management Audit for possible investigation. Normally, the employee must first report any suspicion of such irregularity to their headteacher/chair of governors, who will in turn report it to the Head of Management Audit. In most cases this will be done through the line management structure. Exceptionally, if employees believe the matter cannot be resolved in this way, they should report it direct to the Head of Management Audit.

4. Mechanism for raising concerns

- 4.1. If employees have a concern they will need to exercise a judgment regarding the person who should be approached with the issue. If the matter is minor, then it will be sufficient just to bring it to the attention of the employee who appears to be at fault. The alternative would be raising the concerns directly through school line management channels.
- 4.2. If the matter is obviously more significant, or where a previous informal approach as above has apparently not proved effective or been disregarded, then the matter should be raised with the Headteacher or chair of governors.
- 4.3. Exceptionally, if the employee feels unable to pursue any of these routes, he/she should consider approaching an appropriate body outside the School
- The Audit Commission (for financial irregularities);
 - The independent charity “Public Concern at Work”, which offers confidential advice (020 7404 6609) to employees and others with serious concerns about public dangers and malpractice;
 - The employee’s Trade Union.

If the employee does take the matter outside the School, he/she needs to ensure that confidential information is not disclosed or that disclosure would be privileged. It is suggested the employee checks this with the contact person at the outside body.

- 4.4. Depending on the nature of the concern, the employee may be asked to explain, and where possible, justify and support the claim. An employee will not be expected to prove the truth/accuracy of an allegation but will need to demonstrate to the person contacted that there are sufficient grounds for concern. Normally the employee will be asked to do this in writing, or agree to a written summary prepared by the person notified. It would therefore be helpful for the employee, if possible, to note down any facts and dates as they happen.
- 4.5. Employees who want to use the Procedure, but feel uneasy about it, may wish to consult their Trade Union initially, and bring a colleague or Trade Union representative along to any discussions, so long as that colleague or Trade Union representative is independent of the issue.
- 4.6. Where anonymity is requested, every effort will be made to meet the request, but that might not always be possible. The earlier and more open the expression of concern, the easier it will be to take appropriate action.

- 4.7. Normally, each case will be investigated thoroughly, with the aim of informing the employee in writing of the outcome of any investigation as quickly as possible, normally within 21 days. If a more lengthy process is involved, regular feedback in writing on progress will be given to the employee who made the disclosure. Some concerns may be resolved by agreed action without the need for investigation, although in such cases a record of the disclosure and the action taken will be made by the School and a copy of such written report provided to the employee who made the disclosure.
- 4.8. The school accepts that an employee who has acted as a whistleblower will need to be assured that the matter has been properly addressed. Subject to legal constraints, such employees will receive information in writing about the outcomes of any investigations

5. What to do if issue is raised with you as line manager

- 5.1. You must exercise judgment, depending on the nature and seriousness of the concern. While it is essential for problems to be tackled effectively with the aim of rectifying the issue, this may well be best achieved in less serious cases by discussion with the relevant section or employee and securing a commitment as to future standards and corrective action. In taking any corrective action, you must, as far as practicable, respect an employee's (as a whistleblower) request for confidentiality, and avoid the threat of recrimination or reprisals. You should notify your own line manager in writing of the action you have taken.
- 5.2. In other more serious cases, you should pass the matter up to the headteacher or chair of governors of your school. If you believe that school management is involved, you should approach the Director of Children's Services.
- 5.3. If you have any doubts about the right way to deal with the concern, you should contact a representative of your trade union.
- 5.4. All employees acting in good faith should be reassured that their concerns will be treated seriously and sensitively, and that the School will not tolerate harassment and/or victimisation of any employee raising concerns.

Appendix A

Academies Financial Handbook 2020 Whistleblowing advice that we feel this policy is in line with.

Financial Whistleblowing

Whistleblowing - having a procedure

2.41 The academy trust must have procedures for whistleblowing, to protect staff who report individuals they believe are doing something wrong or illegal.

2.42 The trustees must agree the whistleblowing procedure.

2.43 The trust should appoint at least one trustee and one member of staff who other staff can contact to report concerns. Informing staff

2.44 The trust must ensure all staff are aware of the whistleblowing process, and how concerns will be managed.

2.45 Staff should know what protection is available to them if they report someone, what areas of

malpractice or wrongdoing are covered in the trust's whistleblowing procedure, and who they can approach to report a concern.

2.46 The trust must ensure all concerns raised with them by whistleblowers are responded to properly and fairly.

Find out more at:

- whistleblowing for employees, including a definition of whistleblowing
- school complaints and whistleblowing, including how ESFA handles complaints about academies
23
- the whistleblowing charity Public Concern at Work, which provides confidential independent advice about wrongdoing in the workplace.