



**West Kirby**  
Grammar School

# Whistleblowing Policy

Administration Use	
Statutory/Non-Statutory:	Statutory
School Website:	Yes
Document Formulated:	December 2014
Document Reviewed and Approved by Leadership & Management 2 Committee:	8 June 2022
To be Reviewed:	Every two years
Next Review Date:	Summer 2024

## 1. INTRODUCTION

WKGS is committed to the highest possible standards of openness, probity and accountability in all of its activities. We also expect a high standard of conduct and integrity from employees. Any employee who has a serious concern about any aspect of the School's work, or the actions of its employees should voice their concerns through established internal channels, without fear of harassment or victimisation. The Public Interest Disclosure – or 'Whistleblowing' – Act 1998 is about accountability and responsibility. This may cover something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the School subscribes to
- is against School policies and ethos
- falls below established standards of practice
- amounts to improper conduct

The earlier the concern is expressed, the easier it is to take action.

Serious concerns include:

- conduct which is an offence or breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public or employees
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- other unethical or improper conduct

We expect employees and others that we deal with, who have serious concerns about any aspect of School life to come forward and voice those concerns. Individuals are often the first to realise that there may be something seriously wrong within the School. However, they may not feel able to express their concerns because they believe that speaking up would be disloyal to their colleagues or to the School. They may also fear harassment or victimisation. They may feel it would be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

In the majority of cases, individuals with concerns will share those concerns with a member of the School's Senior Leadership Team, but it is recognised that certain cases will have to proceed on a confidential basis. The policy and procedure makes it clear that individuals can follow the procedure without fear of reprisals. It is intended to encourage and enable all individuals to raise serious concerns **within** the School to maintain public confidence, rather than overlooking a concern, or 'blowing the whistle' outside of School.

## 2. SCOPE

The policy applies to all School employees and contractors working for the School. It also applies to volunteers, Governors and others not within an employment contract, although the provisions of the Public Interest Disclosure Act do not apply to them.

It is **not** to be used by individuals who are aggrieved about their personal position. The School's Grievance Procedure should be used under those circumstances.

**It is not to be used by individuals who have concerns over child protection or safeguarding issues. These concerns should be dealt with under the Child Protection Policy and Procedures.**

### 3. POLICY OBJECTIVES

The policy aims to:

- ensure that serious concerns and malpractice are identified, investigated and corrected
- encourage individuals to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues for individuals to raise those concerns and receive feedback on any action taken
- ensure that individuals receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- minimise any difficulties experienced as a result of raising a concern, e.g. if an individual is required to give evidence in criminal or disciplinary proceedings the School will arrange for advice and support.
- ensure that individuals against which malicious allegations have been made are supported

### 4. ROLES AND RESPONSIBILITIES

#### GOVERNING BODY AND HEADTEACHER

- To establish a culture whereby all individuals fully understand that it is safe and accepted to raise concerns about malpractice
- To actively want and expect individuals to raise concerns about malpractice
- To ensure that victimisation of anyone who uses the 'whistleblowing' procedure is not tolerated

The Governing Body has designated the Headteacher to specifically deal with matters concerning 'Whistleblowing'.

If the concern is about the Headteacher, then the designated person is the Chair of Governors. If the concern is about the Chair of Governors, then the designated person is the Director of Children's Services.

Their responsibilities are to:

- reassure and support individuals to use these procedures
- receive concerns raised by individuals
- respect an individual's request that a concern is raised in confidence
- ensure that they effectively communicate with individuals
- record concerns on the School's Confidential Reporting Form (CRF1 – see Appendix 1).
- carry out an initial assessment
- acknowledge the concern to the person raising it
- within ten working days of the concern being raised, indicate how it is proposed to deal with the matter, estimate how long it will take to provide a final response; advise whether any initial enquiries have been made and supply information on individual support mechanisms
- inform, **where appropriate**, the person against whom alleged concerns have been raised of the nature of the concerns and how it is proposed to deal with the matter

## 5. SAFEGUARDS

### HARASSMENT OR VICTIMISATION

The School recognises that the decision to report a concern or malpractice can be a difficult one to make, not least because of the fear of reprisal from those responsible for the alleged malpractice.

Harassment, victimisation or subsequent discrimination or disadvantage of anyone raising a genuine concern will not be tolerated when individuals are acting in the public interest and the School will take action to protect such individuals. This assurance does not include anyone who maliciously raises a matter they know is untrue.

### CONFIDENTIALITY

The School will do its best to protect a person's identity when they raise a concern and do not want their name to be disclosed. It should be appreciated, however, that after an investigation has been conducted as a result of 'whistleblowing', it is likely that the source of the information may be revealed or a signed statement may be required as part of the evidence, or evidence may be needed in a court of law.

### ANONYMOUS ALLEGATIONS

The School encourages individuals to put their names to allegations. Concerns expressed anonymously are much less powerful but they will be considered.

The factors to be taken into account would include the:

- seriousness of the issues raised
- credibility of the concerns
- likelihood of confirming the allegation

### UNTRUE ALLEGATIONS

If an individual makes an allegation but it is not confirmed by the investigation, no action will be taken against them. If, however, it becomes apparent from the investigation that the individual making the disclosure has acted frivolously, maliciously or for personal gain, that individual may be subject to disciplinary action.

## 6. HOW TO RAISE A CONCERN – THE PROCEDURE

Concerns may be raised verbally or in writing. The concern will be formally recorded on Form CRF1 and the matter will be treated as confidential.

Individuals who wish to make a written report should include:

- the background and history of the concern (giving relevant dates)
- the reason why they are particularly concerned about the situation.

Although individuals are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for their concern.

## WHO TO CONTACT

In most circumstances the concern will be raised with the Headteacher (see Section 4)

**If, due to the seriousness and sensitivity of the issues involved, or the individual is not satisfied with the response, they can contact:**

- Wirral Director of Children's Services

**If the above is inappropriate or an individual is dissatisfied with the response then they can:**

- seek independent advice  
The charity 'Public Concern at Work' offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows:  
Public Concern at Work, Suite 306, 16 Baldwins Gardens, London, EC1N 7RJ  
Telephone number: 020 7404 6609.
- consider if they want to take the matter any further

## INDEPENDENT ADVICE

Individuals may wish to talk to a teacher professional association or trade union representative.

## HOW THE SCHOOL WILL RESPOND

The concern will be recorded using the School's Confidential Reporting Form (CRF1 – see Appendix 1)

An initial assessment will be undertaken by the Headteacher (refer to Section 4) in order to establish whether the concerns:

- may be resolved without the need for an investigation
- require urgent action being taken before any investigation is conducted
- fall within the scope of specific procedures (for example, Child Protection) and should be dealt with under those procedures
- require an investigation and, if so, what form should it take

***The overriding principle that the School will have in mind is the public interest.***

Within ten days of a concern being raised, the individual will receive a written acknowledgement stating that the concern has been received:

- indicating how it is proposed to deal with the matter
- estimating how long it will take to provide a final response
- advising whether any initial enquiries have been made
- supplying information on individual support mechanisms
- advising whether further investigations will take place and if not, why not

The Headteacher (refer to Section 4) will inform the individual of the outcome of any investigation, subject to legal constraints or where this would infringe a duty of confidence owed by the School to someone else.

## COMMUNICATIONS WITH THE PERSON AGAINST WHOM ALLEGED CONCERNS HAVE BEEN RAISED

The Headteacher (refer to Section 4) will, *where appropriate*, inform the person against whom alleged concerns have been raised of the nature of the concerns and how it is proposed to deal with the matter. Within legal restraints, and the restraints of the investigation, information will be provided and he/she will be informed of the outcome of the investigation.

## HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide individuals with an avenue **within** the School to raise concerns. If they feel it is right to take the matter outside the School, the following are possible contact points:

- Teacher Professional Association
- Trade Union
- Relevant professional bodies or regulatory organisations
- Police

If individuals do take the matter outside the School, they should ensure that they are acting in the public interest, that they have the evidence to back up their concern, and that they do not disclose confidential information.

## MONITORING

Any concerns raised under the Act will be reported annually by the Headteacher at a full Governing Body meeting.



Does the individual have any personal interest in the matter? (tick box) YES  NO   
If yes, please give details

Does this concern fall more properly within another school procedure? (tick box) YES  NO   
If yes, please state which procedure

Initial action taken by the Headteacher\* and outcome – ensuring any urgent action is undertaken:

RECOMMENDED Further Action (tick appropriate box) None required   
Investigated by School Leadership  Internal Audit  Disciplinary Process   
Refer to: Police  External Audit   
Other, please state

Signed: ..... Date:  
Headteacher\*

Individual person raising the concern: Please sign below and enter any comments, if any, in this box.

Signed: ..... Date:

\* If the concern is about the Headteacher the designated person is the Chair of Governors. If the concern is about the Chair of Governors, the designated person is the Director of Children’s Services.