



Wellfield High School

Inspire - Challenge - Achieve - Nurture

# WHISTLEBLOWING POLICY & PROCEDURES

## 1. INTRODUCTION

Wellfield High School is committed to open and honest communication and ensuring the highest possible standards in integrity – we will always treat whistleblowing as a serious matter.

This policy has due regard to all relevant legislation including, but not limited to, the following:

- Public Interest Disclosure Act 1998
- Employment Rights Act 1996

This policy has been created with regard to the following guidance documents and policies:

- GOV.UK (2015) 'Whistleblowing for employees'
- Sir Robert Francis (2015) 'Freedom to speak up report'
- Lancashire County Council Whistleblowing Policy April 2019

Employees are often the first to realise that there may be something seriously wrong within the school, however, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or 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.

The Governing Body are committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This policy makes it clear that you can raise such concerns without fear of victimisation, subsequent discrimination or disadvantage. This policy is intended to encourage and enable employees to raise serious concerns within the school rather than overlooking a problem or 'blowing the whistle' outside.

The policy applies to all Wellfield High School employees and applies equally to those designated as casual, temporary, agency, authorised volunteers or work experience, Governors and those contractors working for the school on school premises, for example, agency staff, builders, and drivers. It also covers suppliers and those providing services under a contract with the school in their own premises.

These procedures are in addition to the Wellfield High School Complaints Procedures and other statutory reporting procedures. Service Users should be made aware of the existence of these procedures. Where this policy necessitates personal or special category data to be processed, it will be done so in accordance with the school's Data Collection Policy.

This policy has been discussed with the recognised Teacher Associations, Trade Unions and has their support.

## 2. AIMS AND SCOPE

This policy aims to:-

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
- provide avenues for you to raise those concerns and receive feedback on any action taken;
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied;
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith which is in the public interest.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures.

These include:-

- conduct which is an offence or a breach of law;
- failure to comply with a legal obligation;
- disclosures related to miscarriages of justice;
- health and safety risks, including risks to the public/students as well as other employees;
- damage to the environment;
- the unauthorised use of public funds;
- possible fraud and corruption - see Note below;
- sexual or physical abuse of pupils where referral under Child Protection Procedures not appropriate;
- other unethical conduct;
- actions which are unprofessional or inappropriate.

Thus, any serious concerns that you have about any aspect of service provision or the conduct of Wellfield staff, Governors or others acting on behalf of the school can be reported under the Whistleblowing Policy & Procedures. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Governors subscribe to;
- falls below established standards of practice;
- amounts to improper conduct.

Note: There is a requirement under the Scheme for Financing Schools in Lancashire for the Governing Body to notify the council's Internal Audit Service immediately of all (suspected) financial or accounting irregularities. This requirement is not superseded by this Whistleblowing Policy and the Governing Body will need to act accordingly if a financial issue is raised.

This policy does not replace the Wellfield High School Complaints Procedures.

### **3. SAFEGUARDS**

#### **3.1 Harassment or Victimisation**

Governors are committed to good practice and high standards and want to be supportive of employees.

It is recognised that the decision to report a concern can be a difficult one to make. If what you are saying is true, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

Governors will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith which is in the public interest.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that are already taking place.

#### **3.2 Safeguarding Children**

All adults who come into contact with children and young people have a responsibility to safeguard and promote their welfare. Adults are also vulnerable to the potential for false, malicious or misplaced allegations being made either deliberately or innocently arising from normal and proper association and conduct. However, it is regrettably the case that some adults/professionals have been found to be perpetrators of child abuse and /or behaving in ways which have harmed children/ which indicate that they are unsuited to working with them.

An allegation is information which indicates that a person who works with a child has:

- behaved in a way that has harmed a child, or may have harmed a child; or
- possibly committed a criminal offence against or related to a child; or
- behaved in a way that indicates s/he is unsuitable to work with children.

This may be in connection with his/her employment or voluntary activity, or where:

- concerns arise about the person's behaviour outside work e.g. with regard to his/her own children;
- concerns arise about the behaviour in the private or community life of a partner, member of the family or other household member.

If you have any concerns about an adult's behaviour (regardless of being a paid employee by the school or a volunteer) towards a child or children then you must discuss your concerns immediately with a member of the school's Senior Leadership Team.

An allegation of inappropriate behaviour by an adult towards a child may lead to a criminal investigation, therefore you must not do anything that may jeopardise a police investigation such as attempting to investigate the situation yourself or asking a child leading questions.

You must report your concerns immediately to a member of the school's Senior Leadership Team who will then take the appropriate action.

#### **4. CONFIDENTIALITY**

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. At the appropriate time, however, anyone making a disclosure under this policy may need to provide evidence as a witness, and in these cases, it may not always be possible for you to remain anonymous.

#### **5. ANONYMOUS ALLEGATIONS**

This policy encourages you to put your name to your allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered in the context of the following factors:-

- seriousness of the issues raised;
- credibility of the concern;
- likelihood of confirming the allegation from attributable sources.

#### **6. UNTRUE ALLEGATIONS**

If you make an allegation in good faith but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

#### **7. HOW TO RAISE A CONCERN**

In raising a concern employees should provide the following information:

- the background and history of the concern (giving relevant dates);
- the reason why you are particularly concerned about the situation;
- the name(s) of any colleagues/employees who you consider are directly involved; and
- the name(s) of any colleagues/employees who you believe may be able to help provide further information.

As a first step, you should normally raise concerns with a designated senior member of staff (where appropriate), Executive Headteacher, Head of School or Chair of Governors. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that senior leadership of the school is involved you should approach a senior officer of the council.

If however, you feel that you still want to raise your concerns with the council, there are a number of options to choose from. Concerns may be raised verbally to the whistleblowing telephone line, by email or in writing.

To make a confidential telephone call please ring the dedicated whistleblowing number 01772 532500, where you will be requested to press 1 for financial matters (directed to the Internal

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Audit Service) and 2 if it relates to any other concern (directed to Human Resources). An officer will answer your call and if the officer is unavailable, there will be an opportunity to leave a voicemail message. An officer will return your call if you so wish but please remember to leave a telephone number in your message.

If you prefer to use email there are two dedicated email addresses:

- for financial concerns – [internalauditinvestigations@lancashire.gov.uk](mailto:internalauditinvestigations@lancashire.gov.uk)
- for any other concern - [WhistleblowingComplaints@lancashire.gov.uk](mailto:WhistleblowingComplaints@lancashire.gov.uk)

Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:-

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

Concerns can also be made in writing and correspondence should be sent:

- For financial concerns to – Head of Service Internal Audit, Internal Audit Service, Finance Directorate, Lancashire County Council, County Hall, Preston, PR1 0LD.
- For any other concern to – Head of Service Human Resources, Human Resources Service Centre, Corporate Services Directorate, Lancashire County Council, County Hall, Preston, PR1 0LD.

Alternatively you may contact a representative of the Schools Human Resources Team:

- Jeanette Whitham, Head of Schools HR Team - 01772 530436
- Vic Welch, Principal HR Manager - 01772 531814 (Districts 7, 8, 9 - South Ribble, West Lancashire, Chorley)

The earlier you express the concern the easier it is to take action.

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

Obtain advice/guidance on how to pursue matters of concern from the Executive Headteacher or member of the school's governing body. If ultimately you feel you have to take the matter externally, possible contacts are listed at Section 10.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

You may invite your Trade Union, Teacher Association, representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

## **8. HOW THE WELLFIELD HIGH SCHOOL GOVERNING BODY WILL RESPOND**

The Governors will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them. If you confirm your wish to raise your concerns formally under the policy, a responsible person will be designated by the school management to co-ordinate the response to the concerns you have raised. The responsible person will respond to you in accordance with the procedures below.

Where appropriate, the matters raised may be:-

- investigated by the school's management, internal audit, or through the disciplinary process;
- referred to the police;
- be referred to the external auditor;
- form the subject of an independent inquiry.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which Wellfield leadership 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.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within ten working days of a concern being raised, the responsible person will write to you:-

- acknowledging that the concern has been received;
- indicating how it is proposed to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- telling you whether any initial enquiries have been made;
- supplying you with information on staff support mechanisms (where appropriate), tell you whether further investigations will take place and if not, why not.

The amount of contact between those considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you.

Where any meeting is arranged, away from school premises if you so wish, you can be accompanied by a Trade Union or Teacher Association representative or work colleague.

The Governing Body will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings arrangements will be made for you to receive appropriate advice about the procedure.

It is accepted that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will be informed of the outcome of any investigation.

## 9. THE RESPONSIBLE OFFICER

The Executive Headteacher has overall responsibility for the maintenance and operation of this policy in respect of concerns raised formally within the school, and should maintain a record of concerns raised and the outcome to report as necessary to the Governing Body.

The council's Director of Corporate Services has overall responsibility for the maintenance and operation of this policy in respect of concerns raised formally outside the management of the school and will maintain appropriate records of concerns raised and report as necessary to the council.

## 10. HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide you with an avenue within the school to raise concerns. The Governing Body hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the school, you may wish to contact your trade union/professional association, local Citizens Advice Bureau, the police or one of the following possible contact points:

External Auditor

✉ Grant Thornton  
4 Hardman Square,  
Spinningfields,  
Manchester  
M3 3EB  
☎ 0161 953 6900  
Website:  
<https://www.grantthornton.co.uk/en/office-locations/?location=manchester>

Protect (formerly Public Concern at Work) a registered charity whose services are free and strictly confidential

✉ Public Concern at Work  
CAN Mezzanine  
7-14 Great Dover Street  
London SE1 4YR  
☎ 020 3117 2520  
[whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk)

Public Sector Audit Appointments Ltd

✉ PSAA Limited  
18 Smith Square  
London  
SW1P 3HZ  
☎ 020 7072 7445  
[generalenquiries@psaa.co.uk](mailto:generalenquiries@psaa.co.uk)

Lancashire Constabulary

✉ Lancashire Constabulary Headquarters  
Saunders Lane  
Hutton  
Preston  
PR4 5SB  
☎ 101

Action Fraud

☎: [0300 123 2040](tel:03001232040)  
Website: <https://www.actionfraud.police.uk/>

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HM Customs and Excise	✉ HMRC Fraud Hotline Cardiff CF14 5ZN Tel: 0800 788 887 Website: <a href="https://www.gov.uk/government/organisations/hm-revenue-customs/contact/customs-excise-and-vat-fraud-reporting">https://www.gov.uk/government/organisations/hm-revenue-customs/contact/customs-excise-and-vat-fraud-reporting</a>
The Information Commissioner	✉ The Office of the Information Commissioner Wycliffe House, Water Lane Wilmslow Cheshire SK9 5AF ☎ 0303 123 1113
The Environment Agency	✉ National Customer Contact Centre PO Box 544 Rotherham S60 1BY ☎ 03708 506 506 <a href="mailto:enquiries@environment-agency.gov.uk">enquiries@environment-agency.gov.uk</a>
Health and Safety Executive	✉ Redgrave Court Merton Road Bootle Merseyside L20 7HS ☎ 0300 003 1747

If you do take the matter outside Wellfield High School, you should ensure that you do not disclose confidential information. Check with the relevant contact point about that issue.

### POLICY REVIEW

This policy is reviewed annually by the Executive Headteacher and Chair of Governors.

Signed by:			
Mrs L Gwinett	Executive Headteacher	Date	February 2020
Mrs C Gaynor	Chair of Governors		