



GIGGLESWICK SCHOOL

Whistleblowing Policy

Lead Author(s)	Headmaster
Reviewed by	Bursar and Chief Operating Officer Second Master Head of the Prep School
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Policy Type	Statutory

1 INTRODUCTION

Giggleswick School ("the School") has adopted this policy and the accompanying procedure on whistleblowing to enable members of staff to raise concerns internally and in a confidential fashion about fraud, malpractice, health and safety, unsafe practice and potential failures in the School's safeguarding regime, criminal offences, miscarriages of justice, and failure to comply with legal obligations, inappropriate behaviour or unethical conduct. The policy also provides if necessary, for such concerns to be raised outside the organisation.

The School is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards in accordance with the Staff Code of Conduct. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential to prevent such situations occurring and to address them when they do occur.

As such the School promotes an open culture of safety and learning and encourages all members of the community to raise any concern as soon as they arise. Furthermore, a culture of reporting low level concerns is encouraged because it is essential in enabling reflection that improves practice.

Those who raise concerns are valued and supported; they can expect a prompt and proportionate response

This policy covers all individuals irrespective of their status, level or grade including all employees, managers, directors, officers, governors, consultants, contractors, casual and agency staff and volunteers (collectively referred to as "staff" in this policy).

All staff are made aware of this policy as part of the induction process. Safeguarding training specifically includes whistleblowing and reporting low level concerns.

2 ELEMENTS OF THE POLICY

In accordance with Lord Nolan's Second Report of the Committee on Standards in Public Life, the School's policy on whistleblowing is intended to demonstrate that the School:

- Will not tolerate malpractice;
- Will provide a clear and simple procedure for raising concerns, which is accessible to all members of staff;
- Will provide the opportunity to raise concerns outside of the normal line management structure where this is appropriate;
- Respects the confidentiality of staff raising concerns and will provide procedures to maintain confidentiality so far as is consistent with progressing the issues effectively;
- Will only invoke the school's disciplinary policy and procedure in the case of false, malicious, vexatious or frivolous allegations.

3 PROCEDURE

This procedure is to enable members of staff to express a legitimate concern regarding suspected malpractice within the School, including any concerns, no matter how remote or apparently unsubstantiated, ~~related to poor or unsafe practice and potential failures in the School's safeguarding regime.~~

Malpractice is not easily defined. However, it includes allegations of fraud, financial irregularities, corruption, bribery (either offering or accepting a financial or other benefit), dishonesty, acting contrary to the Staff Code of Conduct, criminal activities, or failing to comply with a legal obligation, a miscarriage of justice, or creating or ignoring a serious risk to health, safety or the environment.

Individuals are protected in law if they whistleblow about any of the following:

- A criminal offence, for example you are aware of financial fraud by the School;
- A member of staff or pupils' health and safety is in danger;
- Risk or actual damage to the School grounds;
- A miscarriage of justice;
- The School is breaking the law: for example, it does not have the right insurance; or
- You believe a member of staff is covering up wrongdoing.

The School hopes that in most cases staff will be able to raise concerns with line managers, either in person or in writing if preferred. It is hoped that in most cases it will be possible to agree a way of resolving concerns quickly and effectively. However, in some cases this may not be possible. Where the matter is more serious staff, staff prefer not to raise it with line managers, or where staff feel that line managers have not appropriately addressed concerns, then they are at liberty to raise whistleblowing concerns with the Headmaster, Second Master or the Bursar directly.

In all cases a meeting will routinely be arranged as soon as possible to discuss concerns, with staff members being free to bring a colleague or trade union representative to any meetings under this procedure. Any companion must respect the confidentiality of the disclosure and any subsequent investigation. Staff may be required to attend additional meetings to provide further information as the concerns raised are investigated.

Any concern raised will be investigated thoroughly and in a timely manner, and appropriate corrective action will be pursued. Staff will be kept informed of the progress of the investigation and its likely timescale. Whenever possible and subject to third party rights, staff will be informed of the resolution. However, sometimes the need for confidentiality may prevent the School giving specific details of the investigation or any disciplinary action taken as a result. Staff should treat any information about the investigation as confidential.

If a whistleblower is not satisfied that their concern being properly dealt with, they have a right to raise it in confidence with the Governing Body. Alternatively, they can follow the external procedure below.

It should be noted that this procedure is separate from the School's adopted procedures regarding grievances. Employees should not use the whistleblowing procedure to raise grievances, such as bullying, harassment or discrimination, about their personal employment situation. If they are uncertain whether something is within the scope of this procedure, they should first seek advice from the Headmaster or the Bursar.

4 CONFIDENTIALITY AND ANONYMITY

The School would hope that staff have the confidence to make disclosures openly under these procedures. It is of note that confidential disclosures can be more difficult or impossible to investigate effectively, making it more difficult to establish whether any allegations are credible.

However, where staff are concerned about possible reprisals if their identity is revealed, they should discuss this with the Headmaster or Bursar and appropriate measures can then be taken to preserve confidentiality. If they are in any doubt, they can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are set out below.

In such circumstances the School will make every effort to keep the identity of a whistleblower confidential and where it is necessary for those investigating a disclosure to know the identity of a whistleblower, this will be discussed with individual in advance.

In exercising this discretion, the factors to be taken into account will include:

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

In any case where there is evidence of criminal activity, the Police will be informed.

5 PROTECTION FROM REPRISAL OR VICTIMISATION

It is understandable that staff are sometimes worried about possible repercussions as a result of a raising a whistleblowing disclosure. The School aims to encourage openness and will support anyone who raises genuine concerns under this policy, even if they turn out to be mistaken

Staff will not suffer a detriment or be disciplined for raising a genuine and legitimate concern, provided they do so in good faith and following the whistleblowing procedures. If staff believe that they have suffered any such treatment, they should inform the Headmaster, Second Master or Bursar immediately. If the matter is not remedied, they may raise it formally using our Grievance Procedure.

Staff must not threaten or retaliate against whistleblowers in any way. If they are involved in such conduct, they may be subject to disciplinary action.

7 EXTERNAL PROCEDURES

Where all internal procedures have been exhausted, or staff and volunteers feel unable to raise an issue with the School, or feel that their genuine concerns are not being addressed, they may use other whistleblowing channels.

A member of staff shall have a right of access to external persons/bodies. This may include, depending on the subject matter of the disclosure, HMRC, the Audit Commission, the Health and Safety Executive and/or the Local Authority Designated Officer (where the disclosure relates to a child protection issue). If a member of staff decides to whistleblow to a prescribed person rather than the School, they must make sure that they have chosen the correct person or body for their issue. There is a useful list of prescribed bodies/persons published at Gov.uk: <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies#education>

It should be noted that under the Public Interest Disclosure Act 1998, there are circumstances where a member of staff may be entitled to raise a concern directly with an external body where the employee reasonably believes:

- that exceptionally serious circumstances justify it;
- that the School would conceal or destroy the relevant evidence;
- where they believe they would be victimised by the School; or
- where the Secretary of State has ordered it.

Members of staff are strongly encouraged to take advice before making external disclosures as a failure to follow the statutory procedure could mean that their employment rights are not protected. This may be from a teaching union or from <https://protect-advice.org.uk/>

8 MALICIOUS ACCUSATIONS

False, malicious, vexatious or frivolous accusations will be dealt with under the School's Disciplinary Procedure.

Guidance: *Working Together to Safeguard Children (2023)*
Keeping Children Safe in Education (DfE, 2024)
Whistleblowing: list of prescribed people and bodies (Gov.uk, 2023)
<https://www.gov.uk/whistleblowing> - accessed Sept, 2023

Linked Policies: Staff Code of Conduct; Safeguarding Policy & Procedures; Health and Safety Policy