



# Whistleblowers Procedure

*Agreed by the Local Governing Body: July 2020*

*Next Review Date: July 2021*

## **Context**

Fort Pitt Grammar School is part of the FPTA Trust and is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards in accordance with their contractual obligations and the Trust's policies and procedures from time to time in force.

However, all organisations risk errors, mistakes or wrongs occurring or indeed unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

## **Aims of this policy are to:**

- encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- provide staff with guidance as to how to raise those concerns;
- reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

These arrangements take account of the Whistleblowing Code of Practice issued by the British Standards Institute and Public Concern at Work and implemented within the Trust policy. These arrangements do not form part of any employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff within the Trust and the Trust reserves the right to amend its content at any time. It reflects the school and the Trust's current practices and applies to all individuals working at all levels of the organisation. As such they should be read in conjunction with the staff code of conduct and other related policies.

## **Definition of whistleblowing**

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity;
- child protection and/or safeguarding concerns;
- miscarriages of justice;
- danger to health and safety and the environment;
- failure to comply with legal, professional obligations or regulatory requirements;
- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures including the staff code of conduct;
- conduct likely to damage the school's reputation;
- unauthorised disclosure of confidential information;
- the deliberate concealment of any of the above matters.

A whistleblower is a person who raises a genuine concern that he/she believes is in the public interest relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the school activities, you should report it under this policy. This policy should not be used for complaints relating to staff's own personal circumstances, such as the way you have been treated at work. In those cases, you

should use the Grievance Procedure as appropriate. If staff are uncertain whether something is within the scope of this policy, you should seek advice from the Head Teacher of the school.

### **Raising a whistleblowing concern**

The school hopes that in many cases staff will be able to raise any concerns with their Line Manager and/or Head of Department or Head Teacher by speaking to them in person or putting the matter in writing if they prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Local Governing Body. However, where the matter is more serious, or you feel that your Line Manager/Head of Department has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- The Head teacher
- A Governor with responsibility for Whistleblowing matters.
- The Executive Head Teacher
- A member of the Board of Trustees

The School/Trust will arrange a meeting with you as soon as possible to discuss your concern. Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of your disclosure and any subsequent investigation. The School/Trust will take down a written summary of the concern raised and provide the member of the staff with a copy as soon as practicable after the meeting. The School/Trust will also aim to give you an indication of how we propose to deal with the matter.

### **Confidentiality**

The Trust hope that staff will feel able to voice whistle blowing concerns openly under these arrangements. However, if a member of staff wants to raise his or her concern confidentially, the School/Trust will endeavour to keep his or her identity secret in so far as it is possible to do so when following these arrangements. If it is necessary for anyone investigating that member of staff's concern to know your identity, the School/Trust will discuss this with the member of staff first. The School/Trust does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the School/Trust cannot obtain further information. It is also more difficult to establish whether any allegations are credible and have been made in good faith.

Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality.

If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

**Public Concern at Work**

**(Independent whistleblowing charity)**

**Helpline: (020) 7404 6609**

**E-mail: [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk)**

**Website: [www.pcaw.co.uk](http://www.pcaw.co.uk)**

## **External disclosures**

In most cases staff should not find it necessary to alert anyone externally regarding the matters in school. However, the law recognises that in some circumstances it may be appropriate for staff to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external.

Whistleblowing concerns usually relate to the conduct of staff, but they may sometimes relate to the actions of a third party, such as a service provider. The law allows staff to raise a concern in good faith with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, staff are encouraged to report such concerns internally first.

The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline (as above). They also have a list of prescribed regulators for reporting certain types of concern.

## **Investigation and outcome**

Once a member of staff has raised a concern, the School/Trust will undertake an initial assessment to determine the scope of any investigation. The School/Trust will inform you of the outcome of its assessment. The member of staff raising the concern may be required to attend additional meetings in order to provide further information. In some cases, the School/Trust may appoint an investigator or team of investigators including senior staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the School/Trust to minimise the risk of future wrongdoing.

The School/Trust will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the School/Trust from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

Whilst the School/Trust cannot always guarantee the outcome a particular member of staff is seeking, the School/Trust will try to deal with the concern fairly and in an appropriate way. If a member of staff is not happy with the way in which his or her concern has been handled, he or she can raise it with one of the other key contacts outlined above.

Only if the School/Trust concludes that a whistleblower has made false allegations maliciously or with a view to personal gain, will the whistleblower be subject to disciplinary action under the School/Trust's Disciplinary Policy and Procedure. If the case is unproven then the whistleblower's position is protected by law.

## **Protection and support for whistleblowers**

It is understandable that whistleblowers are sometimes worried about possible repercussions.

The School/Trust aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken. Staff must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that he or she has suffered any such treatment, he or she should inform the Headteacher immediately. If the matter is not remedied the member of staff should raise it formally using the Trust's Grievance procedures.

Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action. All staff are responsible for the success of these arrangements and should ensure that they use them to disclose any suspected danger or wrongdoing. Staff are invited to comment on these arrangements and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Headteacher in the first instance.