PARMITER'S SCHOOL

Whistleblowing Policy

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Headteacher

1. Introduction

The aim of this Policy is to encourage employees and others who have serious concerns about any aspect of the School to voice those concerns and feel secure in doing so.
It is important that any fraud, misconduct or wrongdoing is reported and properly dealt with. The School encourages all individuals to raise any concerns they may have about the conduct of others or the way in which the School is run.
The School is committed to the principles of honesty and integrity. A culture of openness and accountability is critical to ensuring these values are authentically lived by.
This policy applies to all employees, workers, agency staff, contractors, service providers, volunteers, and governors of the School.
This policy does not form part of any employee's contract of employment and it may be amended at any time.

2. Scope

If your concern relates to how you have been treated, this should be raised under the Grievance or Bullying and Harassment policies.
The Whistleblowing Policy will not replace any existing policies or procedures. If misconduct is discovered as a result of any investigation under this policy, the School's Disciplinary Policy will be used.
The School encourages individuals to disclose any concerns they may have, regardless of whether they are covered by this or another policy.

3. What is whistleblowing?

Whistleblowing means the reporting of information which relates to actual or suspected wrongdoing related to a "qualifying disclosure".

A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

- a criminal offence
- a miscarriage of justice
- an act creating risk to health and safety
- an act causing damage to the environment
- a breach of any other legal obligation
- concealment of any of the above

is being, has been, or is likely to be, committed.

It is not necessary for a whistleblower to have proof of such an act for the protections of this policy to apply. They must only have a reasonable belief.
Potential whistleblowers should have reasonable grounds for believing the information they are disclosing is accurate.
Where a disclosure fails to show that one of the six categories of wrongdoing has been or is likely to occur, it cannot amount to a qualifying disclosure for the purposes of the whistleblowing legislation

Potential whistleblowers are encouraged to seek support from a Senior Manager or their Trade Union representative if they are unsure whether to make a disclosure or to access support in making a disclosure, regardless of whether it is qualifying or not.

4. Protections for whistleblowers

This policy has been written to take account of the Part IVA of the Employment Rights Act 1996 which protects workers making protected disclosures.
A qualifying disclosure made to the worker's employer is a protected disclosure. A qualifying disclosure made by a worker under this policy will also be a protected disclosure.
A whistleblower who makes a protected disclosure has the right not to be dismissed (if they are an employee) or subjected to any other detriment, because they have made a protected disclosure.
Dismissing, or subjecting a whistleblower to any other detriment for raising a protected disclosure, such as demotion, or harassment or sexual harassment or victimisation (under the Worker Protection Act 2024) will be a disciplinary offence.
We will not determine that anyone should cease to work at the school on the basis that they have made a qualifying disclosure in accordance with the law and this policy.
Whistleblowers may seek support and advice from organisations such as the whistle blowing charity Protect (https://protect-advice.org.uk / 020 3117 2520) or ACAS (www.acas.org.uk).

5. Obligations for the whistleblower

An instruction to cover up wrongdoing is in itself a disciplinary offence. A whistleblower who is told not to raise or pursue any concern, even by a person in authority, should not agree to remain silent.
It is not appropriate to whistleblow to the media in any circumstances and may be considered gross misconduct.
Maliciously making a false allegation is a disciplinary offence.

6. Confidentiality

The School encourages individuals to voice their concerns openly. If anyone wishes to raise concerns confidentially, the School will make every effort to keep their identity secret.
The School will consult with the whistleblower before divulging their identity to any party, including an investigator.
The School does not encourage anonymous disclosures as this may make it harder to establish the credibility of an allegation and may make investigation difficult or impossible. Anonymous concerns will be taken seriously and investigated as far as is possible under this policy.

7. The School's commitment

Any matter raised under this policy and procedure will be investigated thoroughly, promptly and confidentially.
Whilst the school will aim to keep the employee informed of the progress of the investigation and likely timescales, sometimes the requirement for confidentiality will prevent full information about the investigation and any consequential disciplinary action from being disclosed.

8. Whistleblowing procedure

8.1. Stage 1 – Disclosure

The whistleblower should raise their concern with a member of the SLT, orally or in writing. If the concern relates to a member of the SLT (other than the Headteacher) the whistleblower should raise the issue with the Headteacher. If the concern relates to safeguarding issues; either a concern that meets the harm threshold or a low-level concern, this should be reported directly to the Headteacher, in writing where possible.
If the concern relates to the Headteacher, the whistleblower should raise this with the Chairman of Governors.
If the whistleblower feels unable to raise their concern following the process outlined above, they may like to approach Protect charity, in the first instance, for support and guidance.
(https://protect-advice.org.uk / 020 3117 2520)

8.2. Stage 2 – Investigation

The School will arrange an investigation into the concerns raised. This will take place as soon as is reasonably practicable.
The investigation may involve the whistleblower and other individuals involved meeting with the investigator and giving a written statement.
At any investigatory meetings, the whistleblower may be accompanied by a recognised Trade Union representative or a work colleague.

8.3. Step 3 – Report to Governors

The investigator will report to the named representative of the Academy Governance before any further action is taken. The representative of the Academy Governance will decide on potential outcomes, including, but not limited to:

- invoking the School's disciplinary process, or other relevant policy
- referral to the police, Hertfordshire County Council department, government department or regulatory agency
- no further action.

On conclusion of any investigation, the whistleblower will, as far as is practicable and where it is reasonable to do so, be told the outcome of the investigation and what the School has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

8.4. Step 4 – Escalation

If, on conclusion of stages 1, 2 and 3 the whistleblower reasonably believes that the appropriate action has not been taken, they should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- the Financial Conduct Authority (formerly the Financial Services Authority)
- the Health and Safety Executive
- the Environment Agency
- Her Majesty's Chief Inspector of Children's services and skills
- the Secretary of State for Education
- the Office of Qualifications and Examinations Regulator.

A full list can be obtained from the charity, Protect or the BEIS (Department for Business, Energy and Industrial Strategy) website. Alternatively, an employee may contact their professional association or trade union representative for guidance.

9. Data Protection

When an individual makes a disclosure, the school will process any personal data collected in accordance with its data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

10. Contacts

The School's appointed member of staff for this purpose is the Headteacher.
The School's appointed Governor for this purpose is the Chairman of Governors.

Or the independent whistleblowing charity Protect
Helpline 020 3117 2520
E-mail: whistle@protect-advice.org.uk