

Achieving Excellence through Leadership

Whistleblowing Policy

Document Details	
Approving Body	FGB
Author	Giles Junior School
Committee Responsibility	Resources
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Next Review	December 2028

Please note that all policies are signed digitally on Governor Hub following ratification at the relevant Committee or Full Governor Body Meeting.

1. Introduction

This policy is based on the model policy and procedure issued in November 2019 by Hertfordshire School HR Advisory.

This policy and procedure applies to all employees (including workers as defined and extended by the Employment Rights Act 1996) and governors.

It is important to Giles Junior School that any fraud, misconduct or wrongdoing by employees or governors is reported and properly addressed. The School encourages individuals to raise concerns about the conduct of others or about the way in which the School is operated. The School is committed to honesty, integrity, openness and accountability.

The governing body will respond to all individuals who raise genuine concerns. This policy sets out how concerns should be raised and how they will be managed.

1.1 Giles Junior School expects the highest standards of conduct from all employees and governors and will treat seriously any concern raised about illegal or improper conduct.

1.2 Any individual covered by this policy is expected, through agreed procedures and without fear of recrimination, to bring concerns of serious impropriety or breach of procedure to the Headteacher (or the Chair of Governors where concerns relate to the Headteacher).

1.3 Employees who do not follow this procedure, and instead take concerns to external sources (e.g., the press) without following internal steps, may be subject to formal disciplinary investigation.

1.4 This policy does not form part of any employee's contract of employment. The School may amend it at any time and may vary time limits where appropriate.

2. Background

The law provides protection for employees who raise legitimate concerns about specified matters ("qualifying disclosures"). A qualifying disclosure is made in the public interest where the employee reasonably believes that any of the following is being, has been, or is likely to be committed:

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

Reasonable belief is sufficient; proof is not required. Employees must not investigate the matter themselves. It is the School's responsibility to ensure that concerns are investigated, including notifying the Designated Safeguarding Lead where concerns relate to the safety or welfare of children.

Concerns relating to professional capability should be dealt with under the appropriate capability or performance procedures rather than this policy.

3. When should this policy be used?

This policy applies only to disclosures in the public interest and **not** to matters relating solely to an employee's own employment. Employees concerned about breaches of their own employment contract should follow the School's grievance procedure.

A disclosure that is only an expression of opinion or general allegation will not meet the legal criteria unless it reasonably indicates one of the categories in Section 2.

3.1 This policy is not an alternative to the grievance procedure and does not apply where the employee simply disagrees with how the School is run.

3.2 Employees must have reasonable grounds to believe that the information is accurate and not based on rumour.

3.3 Employees making a protected disclosure are legally protected from dismissal, disciplinary action, threats or any other unfavourable treatment, provided the disclosure is not malicious. Harassment or victimisation of whistleblowers will not be tolerated.

3.4 Employees who are unsure whether their concern meets the criteria or how to proceed may seek advice from their trade union or from Protect (formerly Public Concern at Work).

3.5 Financial regulations require that suspicions of fraud, corruption or financial irregularity are reported to Internal Audit. Concerns should normally be raised with the Headteacher or Chair of Governors, who will report this to Internal Audit.

4. Principles

4.1 This policy reflects the Public Interest Disclosure Act 1998 and other relevant legislation.

4.2 Any matter raised will be investigated thoroughly, promptly, and confidentially. While the School will keep the employee informed of progress, full details may not always be shared where confidentiality applies.

4.3 No employee will be victimised for raising a legitimate concern.

4.4 Victimising a whistleblower or discouraging disclosure is a disciplinary offence.

4.5 Where misconduct is identified, disciplinary procedures will be invoked alongside any external referrals.

4.6 Maliciously making a false allegation is a disciplinary offence.

4.7 An instruction to cover up wrongdoing is a disciplinary offence. Employees must not agree to remain silent.

4.8 Whistleblowers may seek advice from Protect (<https://protect-advice.org.uk> / 020 3117 2520) or ACAS.

5. Whistleblowing Procedure

5.1 Stage 1 – Disclosure

Concerns should be raised with the line manager, orally or in writing.

If the concern relates to the line manager (or anyone above them other than the Headteacher), it should be raised with the Headteacher.

If the concern relates to the Headteacher, it should be raised with the named governor in Section 10.

5.2 Stage 2 – Investigation

The School will arrange an investigation as soon as reasonably practicable.

An investigation may include meetings with the whistleblower and others involved. Written statements may be required.

The whistleblower is entitled to be accompanied by a trade union representative or work colleague at investigatory meetings.

5.3 Stage 3 – Report to Governors

The investigator will report findings to the named governor. Possible outcomes include:

- invoking disciplinary or other relevant procedures

- referring the matter to the police, the local authority, a government department or regulatory body
- deciding no further action is required

The whistleblower will be informed of the outcome as far as reasonably possible.

5.4 Stage 4 – Escalation

If the whistleblower reasonably believes that appropriate action has not been taken, they may raise the matter with a prescribed external body such as:

- Financial Conduct Authority
- Health and Safety Executive
- Environment Agency
- Ofsted / HMCI
- Secretary of State for Education
- Ofqual

A full list is available via Protect or the Department for Business and Trade.

6. What should staff do if a concern is raised with them?

Any member of staff (other than the Headteacher) who receives a whistleblowing concern must report it to the Headteacher.

7. Safeguarding children and young people

7.1 All staff have a separate duty to report concerns about the safety and welfare of pupils.

7.2 Concerns relating to the following must be reported to the Designated Safeguarding Lead:

- physical, sexual, or emotional abuse
- neglect
- any inappropriate or improper relationship between an adult and a pupil

7.3 Concerns may relate to staff, governors, other pupils, or individuals outside the School. Failure to report safeguarding concerns is itself a disciplinary matter.

8. General

Whistleblowing protections apply to employees and any worker who carries out work personally.

Section 43J of the Employment Rights Act 1996 means confidentiality clauses cannot prevent protected disclosures.

Any contractual term that restricts protected disclosures is void.

9. Data Protection

Personal data collected during whistleblowing investigations will be processed in accordance with the School's data protection policy. Data is stored securely and only accessed for the purposes of managing the disclosure.

10. Contacts

School contact (staff lead): *Louise Whitby*
School contact (governor lead): *Kim Hedley*

Independent whistleblowing charity – Protect:
Helpline: 020 3117 2520
Email: whistle@protect-advice.org.uk

11. Next Review

This policy will be reviewed in **December 2027**.

12. Distribution

- All governors
- All staff
- Parents (on request)

Policies are digitally signed on Governor Hub.