



Whistleblowing Policy

Reporting illegal or improper conduct (Disclosures under the Public Interest Disclosure Act 1998 -PIDA) (Harrow Council version adopted)

Date for full implementation:

February 2025

Date for review:

February 2026 (or sooner if required)

Chair of Governors

Carol Kirkland

Headteacher

Daniel Kerbel

POLICY STATEMENT

Grange Primary School is committed to the highest possible standards of conduct, openness, honesty and accountability and takes seriously any issues of malpractice or wrongdoing. Workers are often the first to realise there may be something seriously wrong within the workplace and the school expects workers who have serious concerns about any aspect of work to come forward and voice those concerns and to feel supported when doing so.

The Public Interest Disclosure Act 1998 (PIDA) protects workers who 'blow the whistle' about malpractice or wrongdoing within an organisation. This Act makes provision on the kinds of disclosures which may be protected, the circumstances in which such disclosures are protected and persons who may be protected.

1. WHO IS COVERED BY THE POLICY?

This policy and procedure applies to all School employees, permanent and temporary, agency workers, contractors and their staff and Elected Members. It also covers suppliers and those providing services under a contract with Grange Primary School in their own premises, for example, care homes. The term 'worker' within this document is used to describe any of the above.

This policy does not form part of an employee's contract of employment.

Schools

This policy and procedure is strongly recommended for adoption by School Governing bodies, following consultation with their staff. Governing bodies are urged to adhere to the principles outlined within this policy and procedure.

Where this policy and procedure makes reference to a manager, in schools this normally will be the Head Teacher.

2. WHY DO WE NEED A POLICY?

This policy and procedure is intended to encourage and enable workers to raise serious concerns within the school rather than overlooking a problem or feeling the need to 'blow the whistle' outside.

This policy and procedure aims to:

- encourage workers to feel confident in raising serious genuine concerns and to question and act upon concerns;
- provide avenues for workers to raise those concerns and receive feedback on any action taken;
- encourage and enable workers to raise serious concerns within the School rather than overlooking a problem or taking it outside of the organisation.
- ensure that workers are aware of how to pursue concerns if they are not satisfied with the action taken;

- reassure workers in the strongest terms that they will be protected from possible reprisals or victimisation, by either the organisation or individual co-workers, for Whistleblowing in accordance with this procedure.
- ensure for consistency and fairness in dealing with Whistleblowing across Grange Primary School.

It is recognised that cases may have to proceed on a confidential basis.

3. WHAT IS COVERED BY THIS POLICY?

The PIDA and this Policy provide protection for a worker who makes a qualifying disclosure. This means any disclosure of information which, in the reasonable belief of the worker making the disclosure is made in the public interest and tends to show one or more of the following:

- that a criminal offence has been committed, is being committed or is likely to be committed;
- that a person has failed, is failing or is likely to fail to comply with any legal obligation to which s/he is subject;
- that a miscarriage of justice has occurred, is occurring or is likely to occur;
- that the health or safety of any individual has been, or is likely to be endangered;
- that the environment has been, is being or is likely to be damaged; or
- that information tending to show the matter falling within any one of the above has been, is being or is likely to be deliberately concealed.

Although not covered by PIDA, it should be noted that School employees have a duty to report to the authority any impropriety, breach of procedure or failure of the manner in which services are being provided without fear of recrimination (see Code of Conduct).

For the avoidance of doubt, this includes a duty to report a suspected breach of the School's Contract Procedure Rules and Financial Regulations. The Financial Regulations require School employees to report financial impropriety to Harrow Council's Internal Audit Team

Issues not covered in the above list will be dealt with in one of the ways outlined further below.

This Policy and Procedure applies to disclosures about matters other than a breach of an employee's own contract of employment. Any concerns that an employee may have that his/ her own contract has been, or is likely to be, broken should be raised using the School's Grievance Procedure.

School employees can seek guidance and advice on how to pursue matters of concern from the School Business Manager, HR Officer, Phase Leaders and/or the School's Employee Assistance Programme or Trade Unions.

4. SAFEGUARDS AGAINST HARASSMENT OR VICTIMISATION

Grange Primary School will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action, within its power, to protect workers when a concern is raised. Workers who suffer harassment or victimisation should inform the individual with whom they raised their initial concern.

Workers raising an issue, which they reasonably believe to be in the public interest, as set out in this section and in accordance with the PIDA, are protected from harassment, victimisation or any other detrimental treatment, even if their disclosure of any wrongdoing or malpractice is not substantiated after investigation.

Victimisation of a worker for raising a concern under this Policy and Procedure will be a disciplinary offence.

5. HOW TO RAISE A CONCERN

- Concerns may be raised orally or in writing
- The worker needs to ensure that the person with whom they raise the concern is fully aware that they are using this procedure.
- School employees may wish to discuss their concern in confidence with their Trade Union/Professional Association representative or Phase Leader/Line Manager and/or invite their Trade Union/Professional Association representative or a work colleague to be present during any meetings or interviews in connection with the concerns raised.
- School employees can seek guidance or advice on how to pursue matters of concern from the School Business Manager, HR Officer, Phase Leader/Line Manager or the School's Employee Assistance Programme and advice / support may also be sought from a Trade Union / Professional Association representative.
- The earlier the concern is raised the easier it is to take action.
- It will be helpful to provide the background and history of the concern (giving relevant dates, names & locations), the reasons for the particular concern about the situation and details of evidence / witnesses.
- School employees may seek assistance with preparing this information from the School Business Manager, HR Officer, Phase Leader/Line Manager or Trade Union/Professional Association representative.

6. TO WHOM DO I REPORT MY CONCERNS?

All concerns raised will be reported to the Headteacher by any of the aforementioned people.

If the concern relates to the Headteacher, this should be referred to the Chair of the Governing Board.

For guidance on raising concerns outside Grange Primary School, see Section 8 below.

7. HOW GRANGE PRIMARY SCHOOL WILL RESPOND

7.1 Within 5 term-time only working days (school holidays excluded) the person with whom the concern was raised will acknowledge its receipt in writing, irrespective of how the concern was raised.

7.2 Where the concern has been raised with a manager, a decision will be made as to whether the matter needs to be referred to the Headteacher or Chair of Governors.

7.3 Investigation does not imply either acceptance or rejection of an individual's concerns

7.4 The initial enquiry will be undertaken, wherever possible within 10 term-time only working days, by the most appropriate Officer(s). This will not involve a detailed investigation, however, sufficient information will need to be gathered in order that a decision can be made as to whether further investigation will take place.

7.5 Where appropriate, the matters raised may:

- be investigated by management, internal audit, or through the disciplinary process
- be referred to the police
- be referred to the external auditor or other external investigation
- form the subject of an independent inquiry
- be investigated under another procedure e.g. child/adult protection
- be investigated under other forms of prosecution and inspection e.g. to protect public health and safety

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

7.7 Within 15 term-time only working days (school holidays excluded) of a concern being raised, the person with whom the concern has been raised will write to the individual who raised the matter:

- indicating how they propose to deal with the matter
- giving an estimate of how long it will take to provide a final response
- informing them whether any initial enquiries have been made
- supplying them with information on staff support mechanisms, and
- informing them whether further investigations will take place and who will conduct that investigation, or

- explaining the reasons why no investigation is to be carried out.

7.8 It may be necessary, as part of the investigation, to obtain additional information from the individual who raised the concern.

7.9 The investigation may need to be carried out under the terms of strict confidentiality i.e. by not informing the subject of the concern until (or if) it becomes necessary to do so. This may be appropriate in cases of suspected fraud.

7.10 The school accepts that individuals who raise a concern need to know that the matter has been properly addressed. Thus, subject to legal constraints, the worker will be given feedback on any action taken. However, it will not include information relating to specific individuals, which will remain confidential.

8. HOW THE MATTER CAN BE TAKEN FURTHER

This policy and procedure is intended to provide workers with an avenue within the school to raise concerns. Grange Primary School hopes workers will be satisfied with any action taken. If not, and they feel it is right to take the matter outside school, advice may be sought from any of the relevant organisation(s) as listed in Appendix 1.

There may be circumstances where a worker considers that the worker needs to raise the matter externally. This may be because, for example, there is a need to involve the appropriate external regulatory body, or the worker considers that the matter has not been properly addressed, or that a worker reasonably believes that the matter will be covered up.

If a worker is unsure whether or how to raise a concern or wants confidential advice, contact can be made with the independent charity Public Concern at Work on 020 7404 6609 or at helpline@pcaw.co.uk. Their lawyers can provide free confidential advice on how to raise a concern about serious malpractice or wrongdoing at work.

Grange Primary School also subscribes to the Employee Assistance Programme provided through Education Support Partnership which offers all employees free confidential support, information and advice, 24 hours a day, 365 days a year on 08000 856 148.

Depending on the advice received, the next course of action could include discussion with the Governing Board and/or LADO or the relevant regulatory body (depending on the nature of the concern).

In circumstances where a worker decides to raise the matter externally, the worker will only be protected under this procedure, and under employment law, where the disclosure is made in accordance with the PIDA. This means that the disclosure must fall under one of the categories listed in paragraph 3 above and must be made in one of the following ways:

- in the course of obtaining legal advice
- to a prescribed regulatory body e.g. ACAS, HSE etc. (listed in Appendix 1) provided the worker reasonably believes the prescribed body is responsible for the matter of concern and that the allegations are substantially true;

- to other third parties where the worker makes the disclosure;
- with reasonable belief that the information and allegations are substantially true, and
- does not make the disclosure for personal gain, and
- has already raised the matter with the school or prescribed regulator, unless the worker reasonably believes that the worker will suffer a detriment, or there is not prescribed regulator and the worker reasonable believes that evidence will be concealed or destroyed if the worker makes the initial disclosure to Grange Primary School, and
- in all of the circumstances it is reasonable to make the disclosure.
- The disclosure is of an exceptionally serious nature and the whistleblower makes the disclosure:
- with reasonable belief that the information and allegations are substantially true, and
- does not make the disclosure for personal gain, and
- in all of the circumstances it is reasonable to make the disclosure. School employees who wish to take the matter outside of the school should check with their Trade Union Representative or HR department that they are not in breach of the school's Code of Conduct.

School employees should not, in any circumstances, approach the media / press.

9. SUPPORT FOR WORKERS RAISING A CONCERN AND OTHERS AFFECTED BY THE RAISING OF A CONCERN

- The school is committed to good practice and high standards and wants to be supportive of individuals who raise concerns.
- The school will also support individuals affected by the raising of a concern as appropriate.
- School employees experiencing stress as a result of their involvement in this process can seek counselling and support through Grange Primary School's Employee Assistance Programme.
- School employees can also approach their Trade Union for advice/support throughout the procedure.
- School employees may also approach their Employee Support Programme for support throughout the procedure.
- The employee may find it helpful to involve his or her line manager, particularly if they can identify specific support that would be helpful and which the manager feels are reasonable.
- Grange Primary School will take steps to minimise any difficulties which individuals may experience as a result of raising a concern, eg if they are required to give evidence in criminal or disciplinary proceedings the school

will arrange for them to receive advice about the procedure and, if necessary, be fully prepared for a Court appearance.

- Where the raising of a concern affects a group of staff, the relevant manager will, having made an assessment, take appropriate action to support the workgroup.

10. CONFIDENTIALITY

If a worker raises an issue, every effort will be made not to reveal their identity. It must be recognised, however, that in order to investigate the matter, information must be obtained and/or other workers questioned, therefore total confidentiality cannot be guaranteed. If criminal proceedings require that information is passed on it may become necessary to reveal the worker's identity. In such situations the worker will be consulted before this action is taken, however, Grange Primary School will endeavour to maintain confidentiality whenever possible. Any Trade Union representative or work colleague supporting the worker must maintain confidentiality.

11. ANONYMOUS ALLEGATIONS

Where a concern is raised anonymously, these will be considered at the discretion of Headteacher/Chair of Governors taking into account the seriousness of the issues raised; the credibility of the concern; and the likelihood of confirming the allegation from attributable sources.

12. UNTRUE ALLEGATIONS

This Policy and Procedure must not be misused for making false allegations in which the worker has no reasonable belief. Grange Primary School will treat abuse of the Whistleblowing procedure extremely seriously. Grange Primary School reserves the right to take appropriate action against the whistleblower if they are found to be acting maliciously.

13. THE RESPONSIBLE OFFICER

The Director of Legal and Governance Services who is Grange Primary School's Monitoring Officer, has overall responsibility for the maintenance and operation of this policy and procedure. This officer maintains a record of concerns raised and the outcomes and will report as necessary to the school (but in a form which does not endanger confidentiality). All concerns raised through this policy and procedure should be reported to Monitoring Officer by the manager with whom the concern was originally raised.

14. CONTACTS

Headteacher

Daniel Kerbel
Tel: 020 8422 5070

Phase Leader for EYFS

Harjeet Ryatt
Tel: 020 8422 5070

Phase Leader for Year1 to Year 3

Jo Edwards
Tel: 020 8422 5070

Phase Leader for Year 6

Sultana Begum
Tel: 020 8422 5070

Phase Leader Year 4 & Year 5

Sally Thurlow
Tel: 020 8422 5070

School Business Manager

Phil Hutchinson
Tel: 020 8422 5070

School HR Officer

Nadima Mukadam
Tel: 020 8422 5070

Chair of Governors

Carol Kirkland
Email: carolkirkland58@gmail.com

Local Authority Designated Officer

Rosalind South
Email: rosalind.south@harrow.gov.uk or on 020 8901 2680/90

Harrow Council Legal Department

Chief Legal Officer: Sarah Wilson
Tel: 020 8424 1889

Harrow Council Internal Audit

Tel: 0208 424 1196

Independent Advice from Employee Assistance Programme

Education Support Partnership
Tel: 08000 856 148

List of organisations where external advice may be sought

- Public Concern at Work (020 7404 6609 or helpline@pcaw.co.uk)
- Protect (<http://protect-advice.org.uk>)
- ACAS (the Advisory, Conciliation and Arbitration Service) at <http://www.acas.org.uk/> or on 0300 123 1100.
- The Health and Safety Executive (0300 003 1647)
- The Department for Education (0370 000 2288)
- NASUWT at advice@mail.nasuwt.org.uk
- NEU at louise.crimmins@neu.org.uk
- UNITE on 0800 709 007
- UNISON on 020 8424 1795
- GMB on 020 8424 1086
- LADO (Local Authority Designated Officer) on 020 8901 2680/90 or rosalind.south@harrow.gov.uk
- Employee Assistance Programme on 08000 856 148 or edsupport.org.uk/online-support
- Ofsted at whistleblowing@ofsted.gov.uk or on 0300 1233155
- Solicitor legalpractice@harrow.gov.uk 020 8424 1889