

WHISTLEBLOWING POLICY

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<p>Comments</p> <p><i>This policy is regularly monitored by the Principal to ensure that it is working as effectively as possible.</i></p>	
<p>Monitoring, Evaluation & Review</p> <p><i>The Principal will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout by the UTC community.</i></p>	

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GENERAL PRINCIPLES

Whistleblowing encourages and enables employees to raise any serious concerns they may have, rather than overlooking a problem.

Serious concerns include:

- criminal activity;
- not complying with legal requirements, for example in the school's equalities duties;
- miscarriages of justice;
- putting residents, clients and members of the public at risk and damage to the environment.

Employees are often the first to realise that there is something wrong within the school. However, they may be reluctant to say anything or raise their concerns as they feel that speaking up would be disloyal to their colleagues or to the school or they may feel that they would be victimised for doing so.

The Public Interest Disclosure Act 1998 (PIDA) offers all employees legal protection against any detriment or unfair dismissal as the result of speaking out about crime, fraud, miscarriages of justice, dangers to health and safety, or risks to the environment.

OUR COMMITMENT

GPUTC is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately resolved.

We aim to work with integrity. We are committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we expect employees and others that we deal with who have serious concerns about any aspect of our work to come forward and tell us about those concerns.

If any employee raises their concerns in the public interest (not for personal gain) and they reasonably believe that the information they are giving is true, then our whistleblowing policy aims to ensure that they receive support; and their concerns are properly investigated and addressed.

We will publicise this policy across the school on a regular basis, so all our staff are aware of the support available and what is required of them.

TO WHOM DOES THE POLICY APPLY?

The policy applies to all GPUTC employees; both teachers and our support staff. This includes temporary and agency staff, authorised volunteers or work experience staff.

It also applies to contractors working for GPUTC on our premises. It also covers suppliers and those providing services under a contract with us in their own premises. The policy also covers our governors.

OUR AIMS

- To encourage everyone to feel confident in raising concerns; and to act upon their concerns about potential wrongdoing;
- To provide ways for all staff to raise concerns in confidence and receive appropriate feedback on any action taken;
- To ensure that staff receive a response to their concerns; and that staff are aware of how to pursue them if they are not satisfied; and
- To reassure everyone that they will be protected from possible reprisals, or victimisation, if they have a reasonable belief that they have made a disclosure that is in the public interest.

HOW TO RAISE A CONCERN

As a first step, any concerns should normally be raised with your immediate Line Manager. However, if the concern is serious, relates to a sensitive matter or your line manager may be involved, you should approach a senior manager or the Principal. If your concerns relate to the Principal you should report to a member of the governing body.

However, the Government advises that if you feel that your employer would cover your concerns up, would treat you unfairly or they have not resolved the issue when they have been told about it previously; you may get in touch with one of the relevant prescribed bodies listed below.

Alternatively, you could ask your Trade Union to raise the matter on your behalf or seek advice from your professional association, if you are a member of one.

Other procedures are available, for example the grievance procedure that relates to complaints about your own employment.

This policy also does not replace other school complaints procedures that are for public use.

HOW GPUTC WILL RESPOND TO CONCERNS RAISED UNDER THIS POLICY

We will aim to review your concerns and complete any investigations required as quickly as possible. It is not possible to say how every concern will be treated but as a general guide, within ten working days of the concern being raised, we will:

- Assess the complaint and identify the most effective process to use to investigate the allegations raised;
- Notify the chair of governors and/or the chair of the finance and resources committee that a concern has been raised to ensure it is recorded properly in accordance with this policy;
- Write to the person raising the concern (as long as the concern has not been raised anonymously) to acknowledge their complaint and indicate how the matter raised will be dealt with;
- Indicate a likely timescale to complete the investigation; and
- Provide individuals with information on staff support mechanisms that are available.

CONFIDENTIALITY PROTECTION FOR WHISTLEBLOWERS

We want to protect anyone who raises a concern; including keeping their identity confidential if this is what the employee wants. All concerns will be treated in confidence.

Please consider that we may need to provide a witness statement if the matter is subject to a disciplinary process or referred to the police.

This policy encourages you to put your name to your concern whenever possible.

Please note that:

- Staff must believe the disclosure of information is in the public interest;
- Staff must believe it to be true;
- Staff must not act maliciously; or knowingly make false allegations and
- Staff must not seek any personal gain.

SAFEGUARDS AND VICTIMISATION

GPUTC recognise that the decision to report a concern can be a difficult one to make. If what you are saying is true or you believe it to be true, you should have nothing to fear as you will be acting in the best interests of the school and everyone to whom GPUTC provide a service.

GPUTC will not tolerate any harassment or victimisation (including informal pressures) and we will take appropriate action, including disciplinary procedures, to protect you when you raise a concern that is in the public interest.

If you make an allegation that you think is genuine but is not proven, no action will be taken against you. However, where there is clear evidence that you have made a malicious allegation then action may be taken against you under the disciplinary procedure.

GPUTC want to encourage our staff to put their name to their concerns so we can investigate them properly. However, some people may wish to remain anonymous. In these circumstances, we will still consider concerns raised, taking into account the seriousness of the issues raised and the credibility of the concern, but our ability to take the matter further may be restricted if anonymity needs to be maintained.

MONITORING

The Clerk to the Governors is responsible for the maintenance and operation of this policy. The Clerk will maintain a record of concerns raised and the outcomes (but in a form which does not breach your confidentiality) and will report as necessary to the governing body.

The Principal will ensure all relevant employment requirements are taken into account when the policy is subject to review.

WHISTLEBLOWING: GUIDANCE NOTES FOR MANAGERS

When staff suspect or discover something is wrong, they are encouraged to report this to their manager. This gives managers the chance to correct any potential or actual malpractice before the issue escalates. Please note that if there are allegations of potential fraud, or financial irregularity, then these must be reported to the Principal or to the Chair of the governing body.

Victimising or deterring staff from raising legitimate concerns is a serious disciplinary offence. Whistleblowers are also afforded protection under the Public Interest Disclosure Act. Managers must ensure that anyone who makes a complaint has confidence that it is going to be properly investigated and addressed and they will suffer no detriment as a result of speaking out.

Managers must respect the confidentiality of any staff raising concerns if they want this. However, Managers should advise staff that during the investigation the source of the information may need to be revealed and the individual may be required to provide a statement, or appear as a witness in any disciplinary or police investigation.

You should advise the employee that they will be supported in these processes, if required. You should also advise the employee of any other support available to them.

The person receiving the concern must notify the clerk to the governing body about whistleblowing referrals. The clerk is required to maintain a log, which ensures confidentiality, and the Clerk must provide periodic information on the use of the whistleblowing policy.

INVESTIGATING THE CASE

Managers need to review any matter raised under the Whistleblowing Policy and complete any investigations required as quickly as possible. As a general guide, within 10 (ten) working days of the concern being raised, the Manager should:

- Formally acknowledge the concern to the employee, or their Trade Union/ professional organisation;
- Undertake an initial review of the concerns (or refer the matter to the chair of finance and general purposes committee in the case of a possible fraud);
- Appoint an independent and impartial manager to undertake an investigation;
- Agree a timescale to complete the investigation with the investigating manager and advise the employee, or their representative, of the likely timescale;
- Conduct an investigation under the Whistleblowing Policy, following the same process as the Disciplinary Procedures for investigating cases of misconduct and gross misconduct.

An investigation may conclude that, potentially, there has been a breach of the staff code of conduct. In this case you should invoke the disciplinary process; and subject to any legal

constraints, inform the employee, or Trade Union/professional association, of the progress and outcome of any investigation.

EDUCATION: RELEVANT PRESCRIBED PERSONS

Her Majesty's Chief Inspector of Education, Children's Services and Skills ("the Chief Inspector") about matters relating to the regulation and inspection of schools.

Ofsted

Piccadilly Gate, Store Street, Manchester M1 2WD

Tel: 0300 123 3155

Email: whistleblowing@ofsted.gov.uk

Office of Qualifications and Examinations Regulation about matters in relation to which the Office of Qualifications and Examinations Regulation exercise functions under the Apprenticeships, Skills, Children and Learning Act 2009.

Casework Manager Ofqual, Spring Place, Coventry Business Park, Herald Avenue Coventry CV5 6UB

Tel: 0300 303 3346

Email: Public.Enquiries@ofqual.gov.uk

Online reform form: www.ofqual.gov.uk/complaints-and-appeals/whistleblowing/.

Secretary of State for Education about matters relating to the following educational institutions in England: Maintained schools; Maintained nursery schools; Independent schools (including academies and free schools); Non-maintained special schools; Pupil referral units; Alternative provision academies; 16-19 Academies (and free schools); Sixth form colleges; Special post-16 institutions.

Ministerial and Public Communications Division Department for Education

Piccadilly Gate, Store Street, Manchester M1 2WD

Tel: 0370 000 2288

Online contact form: www.education.gov.uk/contactus