

Whistleblowing Policy & Procedure



**Should be read in conjunction with the
Safeguarding & Child Protection Policy,
Acceptable Use Agreement and Staff Code of Conduct**

UPDATED BY	DATE OF ISSUE	NEXT REVIEW DATE
Senior Deputy Head, Pastoral	August 2023	July 2024

Introduction and scope of the policy

This policy relates to the disclosure by employees, internally or externally, of suspected malpractice in the workplace, and applies to all employees of The Girls' Day School Trust (GDST). It is also available for use by other individuals performing functions in relation to the GDST, such as agency workers and contractors.

- Staff are encouraged to report suspected wrongdoing, or raise legitimate concerns.
- Staff should report the matter internally, except in specified situations, as outlined in the body of this policy.
- Staff who make such a protected disclosure have the right not to be dismissed, or subjected to victimisation, because of the disclosure they have made.
- Reports to external bodies may not be protected if it is later discovered that internal reports were not made.
- Malicious reports will lead to disciplinary action.

It is important to the business that any fraud, misconduct or wrongdoing by employees is reported and properly dealt with. The GDST therefore encourages all individuals to raise any concerns (qualifying disclosures) that they may have about malpractice within the organisation.

Disclosures

A qualifying disclosure is one made by an employee who has a reasonable belief that:

- a criminal offence
- a miscarriage of justice
- an act creating risk to health and safety of others or the environment
- an act causing damage to the environment
- bribery or corruption
- improper conduct or unethical behaviour
- a breach of any other legal obligation
- misuse of confidential information
- concealment of any of the above

is being, has been, or is likely to be, committed. It is not necessary for the member of staff to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. The member of staff has no responsibility for investigating the matter - it is the responsibility of the School to ensure that an investigation takes place.

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Employees should be watchful for illegal or unethical conduct and report anything of that nature of which they become aware.

Staff are encouraged to raise their concerns informally and in confidence with their line manager, the Head or an appropriate member of staff at Trust Office in the first instance. It is important that concerns be communicated at an early stage, and before problems have a chance to become serious. The GDST's Employee Assistance Programme can also be contacted confidentially for advice.

Contractors should report any concerns to the Director of Finance and Operations at school or a member of the Trust Office Senior Management Team.

If the member of staff raising the concern is not satisfied with the outcome of an informal discussion, or if for any other reason he/she feels it inappropriate to bring forward the issue on an informal basis, he/she should raise the matter in accordance with the following procedures.

Where there are concerns relating to child protection, staff have a duty to report them and to press for re-consideration of the concerns if the outcome does not appear to improve the child's situation.

Principles

Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the employee who raised the issue. No employee will be victimised for raising a matter under this procedure. This applies equally if a member of staff comes forward with a concern that turns out later not to have been justified. Victimisation of a member of staff for raising a qualified disclosure will be a disciplinary offence.

If misconduct is discovered as a result of any investigation under this procedure, the GDST's disciplinary procedure will be used, in addition to any appropriate external measures.

Maliciously or knowingly making a false allegation is a disciplinary offence.

An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, staff should not agree to remain silent. They should report the matter to a more senior manager.

Procedure

This procedure is for disclosures about matters other than a breach of a member of staff's own contract of employment. If staff are concerned that their contract has been, or is likely to be, broken, they should use the Grievance Procedure.

In matters of child safeguarding there are separate procedures for reporting concerns. Please refer to the School's Safeguarding Policy.

Stage 1

In the first instance, any concerns should be raised with your line manager. If you reasonably believe your line manager to be involved in any wrongdoing, or for any other reason do not wish to approach your line manager, then you should proceed straight to stage 2. If you prefer, you may come forward with another colleague, a friend, trade union representative or other advisor to report a concern.

Your line manager will arrange an investigation of the matter (either by investigating the matter her or himself or immediately passing the issue to someone in a more senior position). The investigation may involve you giving a written statement. The line manager (or the person who carried out the investigation) will then report to the Head or a member of the Senior Management Team at Trust Office as appropriate, who will initiate any necessary action, including action under the GDST's disciplinary procedure and/or reporting the matter to any appropriate government department or regulatory agency. On conclusion of any investigation, you will be told the outcome of the investigation and what action is being taken. If no action is to be taken, the reason for this will be explained.

Stage 2

If you are concerned that your line manager is involved in the wrongdoing, or has failed to make a proper investigation or to report properly the outcome of the investigations, you should inform the Head or a member of the Senior Leadership Team at Trust Office who will arrange for another manager to investigate or review an investigation already carried out, and make his or her own report as in Stage 1 above. If for any other reason you do not wish to approach your line manager you should contact the Head or a member of the Senior Management Team at Trust Office as above. Any such approach will be treated with the strictest confidence and your identity will not be disclosed without your prior consent.

Stage 3

If you are concerned that the Head or any other senior manager within the organisation is involved in any wrongdoing, you should inform either:

- the Chief Executive Officer of the Trust, or another member of the Senior Leadership Team at Trust Office

OR

- the GDST's internal auditor (regarding any concerns in relation to fraud, corruption or financial malpractice).

They will arrange for an investigation to be undertaken by an appropriate person or agency in accordance with the principles outlined above.

Stage 4

If on conclusion of stages 1, 2 and 3, you reasonably believe that the appropriate action has not been taken, you should report the matter to the Chairman of the Council.

If our policy and procedures are working properly, you should not need to contact some external agency to express concerns. However, there may be exceptional or urgent circumstances where it might be appropriate to contact an external agency. It is not possible to give precise examples, but, for instance, relevant situations might be:

- if the problem involved very senior staff of the organisation, the Chairman or another member of the Council
- in the case of a criminal offence - the police;
- where there are concerns relating to child protection – children's social care
- in the case of any fraud - the GDST's external auditors.

The charity *Public Concern at Work* (www.pcaw.org.uk, 020 7404 6609) operates a confidential helpline if you need help to determine if an external report is the appropriate course of action.

The legislation sets out a number of bodies to which qualifying disclosures may be made. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/404330/bis-15-43-blowing-the-whistle-to-a-prescribed-person-list-of-prescribed.pdf

These include:

- the Charity Commission – 03000 669 197 or www.charitycommission.gov.uk
- the Children's Commissioner - 020 7783 833 or www.childrenscommissioner.gov.uk
- NSPCC – 020 7825 2500 or help@nspcc.org.uk
- HM Revenue & Customs (Tax Office) – 0800 788 887 or <http://www.hmrc.gov.uk>
- the Financial Conduct Authority – 020 7066 1000 or <http://www.fca.org.uk/>
- the Health and Safety Executive – 0300 003 1647 or <http://www.hse.gov.uk>
- the Environment Agency – 03708 506 506 or www.environment-agency.gov.uk

This procedure may be amended from time to time by the GDST, in order to reflect changes in statutory requirements or organisational changes within the GDST. Substantive changes will only be made following consultation with appropriate employee representatives.