



Whistleblowing

Policy and Procedures

Gateways School
Independent Day School for Boys and Girls

Policy Aims

This policy aims to:

- act as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion;
- define the term whistleblower as the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the Second Report of the Committee on Standards in Public Life; Local Spending Bodies, published in May 1996;
- tackle fraud and other forms of malpractice and to treat these issues seriously;
- recognise that some situations may be extremely sensitive and has therefore developed a system which allows for the confidential raising of concerns within the school environment but also provides recourse to an external party outside the management structure;
- protect children from inappropriate behaviour or unethical conduct

This policy does not aim to respond to matters of more general grievance which would be dealt with under the School's grievance procedures.

Legislation and guidance

This policy is compliant with and pays due regard to the following legislation and guidance documents;

- Upholding Standards in Public Life: Final Report of Standards Matter 2 Review (2021)
- The Public Interest Disclosure Act 1998
- ACAS – Whistleblowing at Work guidance material

Scope and Application

This policy applies to all employees at the School and is designed to address the specific statutory obligations on the School to uphold standards in public life and to protect children from any potential harm caused by inappropriate behaviour or unethical conduct at work.

The School 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 considered and resolved.

Policy details

Gateways School has full regard for high standards of conduct and integrity. In the event that members of staff, parents, governors or the school community at large become aware of activities which give cause for concern, the School has established the following Whistleblowing Policy and Procedures.

Whistleblowing is when an employee reports suspected malpractice at work. It occurs when a concern is raised about matters that affect others. The person blowing the whistle will not necessarily be directly affected by the matter so will not necessarily have a personal interest in the outcome of any investigation.

By law, there are several issues that an employee can whistleblow about. These are called 'qualifying disclosures'.

Qualifying disclosures include:

- a criminal offence – for example, an employer has been trying to bribe people
- the breach of a legal obligation by an organisation;
- a miscarriage of justice – for example, a member of staff has been dismissed for something that turned out to be a computer error;
- someone's health and safety being in danger – for example, an employer has forced staff to serve contaminated food;
- damage to the environment – for example, an employer has been regularly polluting local rivers.

An employee can also whistleblow about someone trying to cover up information about any of these issues.

An employee can make a qualifying disclosure about an issue that's happened at any time. This includes if it's likely to happen in the future. It can also be about something that takes place overseas.

One or more qualifying disclosures can be made at the same time.

The following procedures apply to all concerns **except** for those relating to child protection and safeguarding, however minor. For procedures regarding reporting concerns of a safeguarding nature, please refer to the School's separate Safeguarding Policy and Procedures document.

Conclusions

Existing good practice within the school, in terms of its systems of internal control both financial and non-financial, and the external regulatory environment in which the organisation operates, ensure that cases of suspected fraud or impropriety rarely occur.

This whistleblowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and if necessary, outside the management structure. This document is a public commitment that concerns are taken seriously and will be actioned.

Whistleblowing Procedure

The position of employees who find themselves in the unfortunate situation of having to blow the whistle has been strengthened by the Public Interest Disclosure Act 1998. Further information on PIDA can be supplied by staff professional associations.

Gateways School seeks to respect the confidentiality of the whistleblower and will, as far as possible, protect them from reprisals. The School will not tolerate any attempt to victimise the whistleblower or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

It is better that staff raise concerns which prove to be unfounded, than to keep quiet about something which turns out to be serious. If a member of staff is genuinely doubtful about reporting, an initial discussion with the Head may prove helpful.

The whistleblower should raise the matter internally in the first instance to allow the Head and Chair of Governors, acting with and on behalf of the Governors, the opportunity to right the wrong and to give an explanation for the behaviour or activity.

The whistleblower is invited to decide whether the Head or the Chair of Governors would be the most appropriate person to deal with the matter. Unless the Head themselves is perceived to be part of the problem, the natural person with whom any issue should be raised is the Head. Any governor approached with a whistleblowing concern should refer the matter to the Head or Chair of Governors as appropriate.

The earlier a concern is raised, the easier it will be to take action. The whistleblower is a witness to events not the investigator. There is not a need to wait for compelling evidence of malpractice before raising concerns but you must have reasonable grounds for your suspicion.

When reporting a concern, the whistleblower should provide as much information and detail as possible. In particular they should provide the full names of the people involved or the names of people who know about what is happening, including the dates of events and any relevant documentation. This will help the investigator to focus on the main issues quickly.

If a member of staff reports to the press or any other media agency, or is indirectly responsible for such reports, regarding any matter which might reasonably be said to fall within the scope of these procedures, without having first followed these procedures in full, the school will regard this as a matter of gross misconduct.

The whistleblower may prefer to raise the matter in person, by telephone or in written form marked "private and confidential" and addressed to the Head, unless there are grounds to suspect the Head may be party to the wrongdoing, in which case the Chair of Governors. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

Within ten days, the member of staff making the report shall receive written explanation of how the matter is to be dealt with.

The Head or Chair of Governors is responsible for ensuring that what has been reported to them is properly investigated. A preliminary investigation will seek to establish the facts of the matter and assess whether the concern is justified and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistances, for example involvement of other members of school staff, the school's external auditors, legal or personnel advisors.

The Head or Chair of Governors is responsible for ensuring that where an allegation of malpractice proves founded, appropriate action follows. The Chair of Governors will ensure relevant external bodies are informed if necessary.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officers will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third-party referral such as the police.

In the event of malpractice concerning child protection the School's Safeguarding Policy and Procedures will be followed.

The whistleblower will be informed of the results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether it has been substantiated, the matter will be reported to the appropriate body.

If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigating officers and if the concerns remain the Chair of Governors should be consulted, if they have not been previously involved. If this is the case then another Governor can be approached.

If individuals appear to raise malicious, unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence and may require some form of penalty appropriate to the circumstances.

Advice and Support

Gateways recognises that staff may wish to seek advice and support from their professional association or trade union before blowing the whistle and they are strongly advised to do so. Employees may also wish to seek advice from 'Protect', formerly 'Public Concern at Work', an organisation which is entirely separate from the school or the Council. Protect have lawyers who provide confidential advice, free of charge, to people concerned about wrongdoing at work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence without obligation.

Contact details for the charity are:

Protect,
The Green House
244-254 Cambridge Heath Road
London E2 9DA
Telephone: 020 3177 2520

Email: via their contact form which can be found [here](#)

Whistleblowers who consider that they have been victimised as a result of whistleblowing should make a formal complaint to the Head or Chair of Governors (chairoffice@gatewaysschool.co.uk) immediately giving details of the way in which they believe they have been subject to detriment and their reasons for thinking that the detriment might be connected with their disclosure. They may also choose to raise the matter with:

- Professional Association / Trade Union
- Councillor
- Member of Parliament
- Legal Adviser

It is the responsibility of your employer to ensure that you are not victimised as a result of whistleblowing.

Blowing the whistle outside the school

In certain circumstances it may be appropriate to raise concerns outside the school to the appropriate 'prescribed regulator'. This should only be done where you are raising a genuine concern in the public interest and where you believe the information is true, i.e. more than just suspicion. You are advised to discuss your concerns with a legal advisor, professional association, trade union or PCAW (see above) before reporting them outside the school.

Examples of prescribed regulators are set out below:

National Audit Office	02077987264	www.nao.org.uk
Information Commissioner	03031231113	https://ico.org.uk
Environment Agency	03708506506	www.gov.uk/government/organisations/environment-agency
Health & Safety Executive	03000031647	www.hse.gov.uk
Ofsted (for EYFS concerns)	03001234666	enquiries@ofsted.gov.uk
NSPCC Whistleblowing \helpline	08000280285	help@nspcc.org.uk

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Independent Schools Inspectorate	02076000100	concerns@isi.net
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