Greenholm Primary School
Official Policy

Name of Policy: Whistle Blowing & Serious Misconduct Policy

Date Reviewed: March 2026

Greenholm Primary
Greenholm Road
Great Barr
Birmingham
B44 8HS
0121 464 6321

This content is applicable to all staff at Greenholm School

A. INTRODUCTION

Greenholm Primary School is committed to ensuring that it, and the people working for it, complies with the highest standards of openness, honesty and accountability.

The term Whistleblowing has a specific legal definition i.e. a disclosure or allegation of serious wrongdoing made by an employee, and a wider public definition i.e. any disclosure or allegation of serious wrongdoing made by anyone.
This policy document seeks to cover both disclosures and allegations of serious wrong doing made by employees and members of the public, and to this end, where this policy makes reference to a whistle blower, it refers to any individual who is making a disclosure or allegation of serious wrongdoing.
The Code is intended to help employees in or working with Greenholm Primary School who have major concerns over any wrong-doing within such School relating to unlawful conduct, financial malpractice or dangers to the public or the environment. Specific examples could include:-

- a criminal offence (e.g. fraud, corruption or theft) has been/is likely to be committed
- a miscarriage of justice has been/is likely to occur
- the health or safety of any individual has been/is likely to be endangered
- the environment has been/is likely to be damaged
- public funds are being used in an unauthorised manner
- the School's Governance arrangements have or are not being observed or are being breached by pupils, staff employed in or those working with or assisting Birmingham Schools
- sexual or physical abuse of any employee or service recipient is taking place (subject to the Child Protection Procedure in the case of children)
- discrimination is occurring to any member of staff or service recipient on grounds of sex, race or disability
- any other form of improper action or conduct is taking place
- information relating to any of the above is being deliberately concealed or attempts are being made to conceal the same.

The School's Governing Body, based on legal advice from the legal team, has issued this Code so as to enable you to raise your concerns about such malpractice(s) at an early stage and in the right

OFFICIAL POLICY

way. The School's Governing Body would rather that you raised the matter when it is just a concern rather than wait for concrete proof.

If something is troubling you, which you think we should know about or look into, please use this policy. If, however, you are aggrieved about your personal position, please use any appropriate Staff Grievance Policy - which you can get from your head teacher. This Whistleblowing Code is primarily for concerns where the interests of others or of the organisation itself are at risk.

B. AIMS OF GREENHOLM'S WHISTLEBLOWING AND MISCONDUCT POLICY

This policy seeks to;

- encourage employees and members of the public with an interest/ or their representatives to feel confident in raising concerns or allegations in the public interest about any suspected serious wrongdoings in the School and its services without fear of reprisals or victimisation, even when the concern or allegations are not subsequently confirmed by the investigation
- give a clear message that allegations of serious wrongdoings or impropriety are taken seriously
- ensure that where the disclosure proves to be well founded, the individuals responsible for such wrongdoings will be held to accountable for their actions
- set out what employees and members of the public can expect in terms of confidentiality and protections when making a whistle blowing disclosure
- identify where individuals can receive support as necessary

This policy is not designed to be used:

- for matters that come under the existing internal procedures such as Grievance, Disciplinary, Capability or the Schools complaints procedure
- For allegations that fall within the scope of specific procedures (e.g. Child protection) which will normally be referred for consideration under the relevant procedure, unless the employee has good reason to believe that the procedures is not being followed or will not be followed effectively
- As an appeal process from any complaint or grievance handled under any of the above procedures

Where a complaint made under this policy falls outside the scope of the policy, the HT will advise the whistle blower of this and consult with them in respect of taking the complaint further. However if an allegation is made under the complaints procedure, the HT will notify the whistle blower of this and investigate the allegation under this process.

C. WHO IS COVERED BY THE SCHOOLS WHISTLEBLOWING CODE?

All employees in or working with Greenholm Primary School may use this Code. This includes permanent and temporary employees, and employees seconded to a third party. Any concerns relating to the third party, if relevant to the employee's secondment, can also be raised under this Code.

OFFICIAL POLICY

Greenholm Primary
Greenholm Road
Great Barr
Birmingham
B44 8HS
0121 464 6321

The Whistleblowing Code has been drafted to help employees in or working with or assisting Greenholm School and in the wider Local Authority. Although as an academy the school is independent of the Local authority the schools whistle blowing code links to the Local Authorities Code and has been the subject of consultation with the relevant teacher and other professional associations and trade unions.

This Code is reviewed on an annual basis.

D. WHAT ASSURANCE DO YOU GET?

If you do raise a genuine concern under this Code, you will not be at risk of losing your job or suffering any form of retribution as a result. Provided you are acting in good faith, it does not matter if you are mistaken. Of course, this assurance is not extended to someone who maliciously raises a matter that s/he knows to be untrue.

The Governing Body will not tolerate the harassment or victimisation of anyone raising a genuine concern. However, we recognise that you may nonetheless want to raise a concern in confidence under this Code. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. If the situation arises where the school are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), this will be discussed with you to see whether and how to proceed.

Remember that if you do not tell us who you are, it will be much more difficult for us to look into the matter or to protect your position or to give you feedback. Accordingly, while the school will consider anonymous reports, this policy is not well suited to concerns raised anonymously.

E. PUBLIC INTEREST DISCLOSURE ACT 1998

The Public Interest Disclosure Act 1998 (PIDA) protects employees against detrimental treatment or dismissal as a result of any disclosure of normally confidential information in the interests of the public. The Act only covers protected disclosures under six categories, namely; crime, illegality, miscarriage of justice, damage to health and safety, damage to the environment, and 'cover-ups' about these issues. To obtain protection employees must first disclose the information to the employer.

Therefore this Code has been adopted to provide an avenue within the School to raise concerns. If an employee takes the matter outside the School, s/he should ensure that no disclosure of confidential information takes place and should take advice, if unsure, as the Public Interest Disclosure Act does not provide blanket protection and could leave employees in or working with or assisting Birmingham Schools vulnerable to disciplinary or other action, if they disclose confidential information in circumstances not covered by the Act.

If you are unsure whether to use this Schools Whistleblowing Code or you want independent advice at any stage, you are advised to contact

- if applicable, your relevant trade union; or
- any of the professional bodies linked to this weblink

OFFICIAL POLICY

https://www.gov.uk/government/uploads/system/uploads/attachment.data/file/360648/bis-14-1077-blowing-the-whistle-to-a-prescribed-person-the-prescribed-person-list-4.pdf

F. HOW SHOULD A CONCERN BE RAISED?

Employees who have major concerns arising from their employment may wish to seek advice from their Union or the charity Public Concern at Work (02074046609 or https://www.pcaw.org.uk) to see whether the information which they wish to report would meet the definition of a qualifying disclosure and whether they should be using the procedure or another procedure.
Concerns may be raised orally or in writing. Employees who wish to make a written report should use the following format:

- the background and history of the concern (giving relevant dates)
- the reason why they are particularly concerned about the situation.

School staff are entitled to make a protected disclosure to the designated governor. For Greenholm Primary this responsibility sits with the Chair of the Personnel and Staffing committee, (name available on the School website). If the individual has reason to believe the chair is ineffective, concerns may be raised directly to the Chair Of Governors (contact details available on School website).

G. HOW WILL THE GOVERNING BODY RESPOND?

If the concern is raised orally, the person receiving the information should ask the employee to put it in writing as soon as practicable to ensure that it properly reflects the concerns that have been raised. The employee must also indicate if the concern is to be treated in confidence. The limit of that confidence will be checked out by the person receiving the information.

The relevant person will also ensure that in the most serious of concerns, the Chair of Governors and / or the Schools legal advisor (Browne and Jacobson) receives adequate details of the employees using this code for the purpose of corporate recording and monitoring purposes.

Once you have told the relevant person, it will be looked in to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation. You will be told who may be handling the matter, how you can contact him/her and whether your further assistance may be needed. If you request it, the governing body or head teacher will write to you summarising your concern(s) and setting out how it will be handled.

When you raise the concern you may be asked how you think the concern(s) might best be resolved. If you do have any personal interest in the matter, you tell us at the outset. Should your concern fall within another policy of the School (for example, the Grievance Policy), this will be explained.

OFFICIAL POLICY

Greenholm Primary
Greenholm Road
Great Barr
Birmingham
B44 8HS
0121 464 6321

While the purpose of this code is to enable us to investigate possible malpractice and take appropriate steps to deal with it, we will give you as much feedback as we properly can. If requested, we will confirm our response to you in writing. Please note, however, that we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.

Concerns or allegations which fall within the scope of specific procedures (for example child protection) will be referred for consideration under that relevant procedure. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken before any investigation is conducted.

Where appropriate, the matters raised may:

- be investigated by management, internal audit, the Chief Education Officer, the Chief Legal Officer or through the disciplinary process
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry.

Within ten working days a concern being raised, the person looking into the concern will write to the person raising the concern:

- acknowledging that the concern has been received
- advise on arrangements for confidentiality
- indicating how the School propose to deal with the matter
- giving an estimate of how long it will take to provide a full response
- saying whether any initial enquiries have been made
- supplying information on support available to you; and
- saying whether further investigations will take place and if not, why not.

Subject to any legal constraints, such as Data Protection and the Human Rights Act, the relevant employee will normally be informed of the final outcome of any investigation.

OFFICIAL POLICY

Greenholm Primary
Greenholm Road
Great Barr
Birmingham
B44 8HS
0121 464 6321

H. WHAT SAFEGUARDS ARE THERE FOR THE PERSON RAISING THE CONCERN?

- The Governing Body will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect employees who raise a concern in good faith.

- Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures already taking place concerning the employee.

- No action will be taken against anyone who makes an allegation in good faith, reasonably believing it to be true, even if the allegation is not subsequently confirmed by the investigation.

- Every effort will be made to ensure confidentiality as far as this is reasonably practical. There may be circumstances of alleged serious wrongdoing where it is impossible to avoid disclosing information which will identify the whistle blower. In this case, the person nominated to lead the investigation will discuss this with the whistle blower.

- Help will be provided to you in order to minimise any difficulties which you may experience. This may include advice on giving evidence if needed. Meetings may, if necessary be arranged off-site with you and for you being represented, if you so wish.

- An employee has the right to complain of victimisation as a result of any whistle blowing to an employment tribunal.

- Any employee who victimises a whistle blower could:

- Be subject to an internal investigation and potential disciplinary action, including dismissal

- Face a civil claim personally, as the affected whistle blower could be entitled to directly issue a legal claim against the culprit.

I. HOW CAN A CONCERN BE TAKEN FURTHER?

If you are unsure whether to use this Schools Whistleblowing Code or you want independent advice at any stage, you may contact

- if applicable, your relevant trade union; or
- the independent charity Public Concern at Work on 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

Employees in or working with or assisting Greenholm School who are not satisfied with the action taken by the Governing Body and feels it right to question the matter further, may consider the following possible contact points:

OFFICIAL POLICY

Greenholm Primary
Greenholm Road
Great Barr
Birmingham
B44 8HS
0121 464 6321

- Department for Education THIS LINK
- the employee's Trade Union
- the Citizens Advice Bureau and / or law centre / firm
- relevant professional bodies or regulatory organisations
- the Local Government Ombudsman
- the Information Commissioner
- a relevant voluntary organisation
- the Police and/ or Health and Safety Executive.

J. RECORDING & MONITORING

The Governors are legally required to maintain a list of concerns raised by their employees under the Public Interest Disclosure Act. Inclusion in this list does not amount to acceptance that the communication amounts to a Protected Disclosure and any subsequent decision that the matter falls outside the Act will be added to the record on the list.

The Governors will also record all disclosures of serious wrongdoings made by members of the public.

The Governing Body will ensure it has sufficient internal arrangements to address the requirements of the
Code, including appropriate support for the Head Teacher in implementing the Code.

The school will record details of all complaints made under this policy, anonymising the identity of the whistle blower and use this information for the purposes of identifying areas for concern, which may indicate further action is required and where appropriate, share this information with other bodies.

This policy/ code is reviewed annually

OFFICIAL POLICY

Greenholm Primary
Greenholm Road
Great Barr
Birmingham
B44 8HS
0121 464 6321

Greenholm Primary School: Whistleblowing Policy – Staff Overview with Section References

What is Whistleblowing?

(Section A: Introduction)

Whistleblowing is when you report serious wrongdoing in the workplace that affects others or the organization, such as:

- Unlawful actions (e.g., fraud, theft, corruption).
- Health and safety risks to staff or pupils.
- Environmental damage.
- Misuse of public funds.
- Discrimination or harassment.
- Abuse (physical, sexual, emotional) or neglect.
- Concealment of wrongdoing.

Whistleblowing is not for personal grievances—those should be addressed through the Grievance Policy.

Your Rights and Protections

(Sections B and H: Aims and Safeguards)

- Protection from Retaliation:
  - You will not lose your job or face retribution if you raise a genuine concern in good faith, even if it is not confirmed by an investigation.
- Confidentiality: Your identity will be protected unless disclosure is required by law or for legal proceedings (this will be discussed with you first).
- Anonymous Reporting: You can raise concerns anonymously, but this may limit how effectively we can act.

- Zero Tolerance for Victimization: Harassment or victimization of whistleblowers will not be tolerated. Staff who retaliate against whistleblowers may face disciplinary action, including dismissal.

How to Raise a Concern

(Section G: Raising Concerns)

1. Speak Up:
   - Concerns can be raised verbally or in writing.
   - Include key details:
     - Background and history of the issue (dates, events).
     - Why you are concerned.

2. Who to Contact:
   - Designated Governor: Chair of the Personnel and Staffing Committee (contact details on the school website).
   - Chair of Governors if the designated governor is not appropriate.

OFFICIAL POLICY

Greenholm Primary
Greenholm Road
Great Barr
Birmingham
B44 8HS
0121 464 6321

3. External Support:
- For independent advice, contact Protect (formerly Public Concern at Work) at 020 3117 2520 or visit https://protect-advice.org.uk

What Happens Next?

(Section G: How Will the Governing Body Respond?)

1. Acknowledgement:
- Your concern will be acknowledged within 10 working days.

2. Investigation:
- The process will be explained, including:
  - Who will handle the issue.
  - Whether your further input is needed.

3. Feedback:
- You'll receive as much feedback as possible without breaching confidentiality.

Possible Outcomes:
- Internal inquiries or disciplinary action.
- Referrals to external bodies (e.g., police, auditors).
- Immediate action if the concern is urgent.

Support for Staff

(Sections H and I: Safeguards and Taking Concerns Further)
- Guidance: Available from your trade union or professional body.
- Support: Provided during investigations, including advice on giving evidence if necessary.
- Privacy: Meetings can be arranged off-site, and you may bring a representative.

When to Escalate Concerns

(Section I: Taking Concerns Further)

If you're unsatisfied with the response from the school, you may escalate your concern to:
- The Department for Education.
- The Local Government Ombudsman or relevant professional body.
- The Police or Health and Safety Executive.

Key Reminders

(Throughout the Policy)
- This policy is here to protect you and the integrity of Greenholm Primary School.
- Raising concerns early helps address issues before they escalate.
- Always act in good faith and avoid disclosing confidential information outside appropriate channels.

For the full policy, visit Greenholm School Policy Documents or speak with your line manager for guidance.

OFFICIAL POLICY