

OLDHAM HULME GRAMMAR SCHOOL

WHISTLEBLOWING POLICY

This procedure is applicable from EYFS through to Year 13

Oldham Hulme Grammar School is committed to the highest possible standards of openness, probity and accountability.

The School encourages all members of staff and pupils to raise genuine concerns about malpractice or impropriety at the earliest practicable stage. This policy sets out a process whereby employees who have concerns about malpractice or impropriety may, in good faith, raise those concerns at a high level in the School, outside of normal line management, and without fear of detriment. The procedure also seeks to balance the need to provide safeguards for members of staff who raise genuine concerns about malpractice or impropriety against the need to protect other members of staff, pupils, members of the Governing Body, and the School against uninformed or vexatious allegations.

Key Principles

- Oldham Hulme Grammar School aims to have a culture of safety and raising concerns;
- Oldham Hulme Grammar School values its staff and being reflective in its practice;
- There are clear procedures for reporting and handling concerns;
- Relevant training and support is provided for all staff;
- That there be transparency and accountability in relation to how concerns are received and handled.

Legal Framework

The Public Interest Disclosure Act 1998 protects a worker from victimisation and dismissal following disclosure by that worker of a matter threatening the public interest, as long as the case satisfies the detailed conditions set out in the Act. To be protected, the worker must make a "qualifying disclosure" and ensure that it is made in one of the ways described in the Act.

"Qualifying disclosure"

This is any disclosure of information which, in the reasonable belief of the worker making the disclosure, tends to show one or more of the following:

- That a criminal offence has been, is being 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 he or she is subject. This includes any contractual or other common law obligation, statutory duty or requirement or administrative law requirement. It could include academic or professional malpractice or a failure to comply with any rules, regulations or codes of practice of the institution;
- That a miscarriage of justice has occurred, is occurring or is likely to occur;
- That the health and safety of any individual has been, is being 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 any of the above has been is being or is likely to be deliberately concealed.

Safeguarding

Nothing within this policy is intended to prevent staff from complying with their statutory obligations in accordance with Keeping Children Safe in Education. In particular:

Safeguarding Policy: You should raise any initial safeguarding concerns with the DSL or Principal as appropriate in accordance with the School's Safeguarding Policy and Procedures. Safeguarding concerns about a member of staff must always be brought to the Principal. If the concern is about the Principal it must be brought to the Chair of Governors via the Clerk to the Governors.

Whistleblowing Policy: You should follow this procedure to raise concerns about poor or unsafe safeguarding practices at the School or potential failures by the School or staff to properly safeguard the welfare of pupils if you are concerned that the School's Safeguarding Policy and Procedures are not being followed correctly. The NSPCC have a Whistleblowing Advice Line on 0800 028 0285.

Children's Social Care: In exceptional circumstances, or if at any point there is a risk of immediate serious harm to a child, a referral should be made to Children's Social Care immediately. The Oldham Multi-Agency Safeguarding Hub (MASH) can be contacted on: 0161 770 7777.

Whistleblowing in Examinations

In compliance with section 5.11 of the JCQ's General Regulations for Approved Centres, Oldham Hulme Grammar School will:

- take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after assessments have taken place
- inform the awarding body immediately of any alleged, suspected or actual incidents of malpractice or maladministration, involving a candidate or a member of staff, by completing the appropriate documentation
- as required by an awarding body, gather evidence of any instances of alleged or suspected malpractice (which includes maladministration) in accordance with the JCQ publication Suspected Malpractice: Policies and Procedures and provide such information and advice as the awarding body may reasonably require

Reporting

If a member of centre staff involved in the management, administration and/or conducting of examinations (such as exams officer, exams assistant or invigilator), a student or a member of the public (such as a parent/carer) has a concern or reason to believe that malpractice has or will occur in an examination or assessment, concerns should normally be raised initially with the Deputy Principal.

However, there may be times when it may be more appropriate to refer the issue direct to the governing board, most often when the allegation is against the head of centre.

Examples of malpractice

Exams-related breaches including, but not limited to, the following:

- Failure to comply with exam regulations as set out by the Joint Council for Qualifications (JCQ) and its awarding bodies
- A security breach of the examination paper
- Conduct of centre staff which undermines the integrity of the examination
- Unfair treatment of candidates by either giving an advantage to a candidate/group of candidates (e.g. by permitting a candidate an access arrangement which is not supported by appropriate evidence), or disadvantaging candidates by not providing access to the appropriate conditions (providing a 'level playing field')
- Possible fraud and corruption (e.g. accessing the exam paper prior to the exam to aid teaching and learning)
- Abuse of authority (e.g. the head of centre/members of the senior leadership team overriding JCQ and awarding body regulations)
- Other conduct which may be interpreted as malpractice/maladministration

Procedure

In order to investigate concerns effectively, the awarding body should be provided with as much information as possible/is relevant, which may include:

- The qualifications and subjects involved
- The centre involved
- The names of staff/candidates involved
- The regulations breached/specific nature of suspected malpractice
- When and where the suspected malpractice occurred
- Whether multiple examination series are affected
- If the issue has been reported to the centre and what the outcome was
- How the issue became apparent

Members of the public are not protected by PIDA (Public Interest Disclosure Act), but the awarding body will make every effort to protect their identity if that is what they wish, unless the awarding body is legally obliged to release it. Alternatively, a worker could consider making a disclosure to Ofqual as a prescribed body for whistleblowing to raise a concern about wrongdoing, risk or malpractice.

Grievances

This procedure should not however be used where you have a complaint relating to your personal circumstances in the workplace. The Grievance Procedure contained in the Employment Manual should be used in such cases. The Grievance Procedure contains provision for mediation and dispute resolution where necessary.

Detriment

No disciplinary action will be taken against anyone for making a disclosure. This will not prevent the School from bringing disciplinary action in cases where there is evidence that a disclosure has been made maliciously or vexatiously or otherwise than to an appropriate public authority.

Stage one

Procedure:

You should disclose the suspected wrongdoing first to a member of the Senior Leadership Team. In the event that the member of the Senior Leadership Team is involved in the suspected wrongdoing, you shall be entitled to proceed directly to Stage Two of this procedure.

Response:

You can expect a response detailing to whom the disclosure has been notified or any action taken within seven days of the member of the Senior Leadership Team becoming aware of the disclosure.

Stage two

Procedure: If no response is forthcoming after seven days or if the member of the Senior Leadership Team is involved in the suspected wrongdoing you shall be entitled to notify the Principal or Director of Finance and Operations, as appropriate.

Response: You can expect a response detailing any action taken within seven days of the Principal or Director of Finance and Operations becoming aware of the disclosure.

Stage three

Procedure: If no such response is forthcoming, or if the Principal is involved in the suspected wrongdoing, you should inform the Chair of Governors of the disclosure.

Stage four

Outside body: If you do not receive a response within seven days you shall be entitled to notify a relevant and appropriate body outside the School which may include:

- the Local Authority Designated Officer;
- Children's Social Care;
- the Health and Safety Executive;
- the Environment Agency;
- the Information Commissioner;
- the Department for Education (DfE);
- an examination board
- the Department for Business, Energy and Industrial strategy;
- the Police;
- the Charity Commission;
- the Independent Schools Inspectorate (ISI);
- the Office for Standards in Education, Children's Services and Skills (Ofsted)
- the local authority Channel panel;

Bypassing the procedure

In extreme circumstances you will have the right to raise your concern directly with a relevant and appropriate outside body without first having followed the stages above. In these circumstances it would be appropriate for staff to raise the concern directly with the relevant external authority (which may include those in the list above).

Extreme circumstances

The School will consider extreme circumstances exist where you have a reasonable belief that: the School will subject you to detriment if you inform a Senior Leader in accordance with Stage one above or if you inform the Principal or Director of Finance and Operations in accordance with Stage two or you inform the Chair of Governors in accordance with Stage three; a cover-up is being mounted by the School; or a disclosure made previously to a senior leader or the Principal, Director of Finance and Operations or the Chair of Governors in accordance with the stages above has not prompted a satisfactory response.

The media

Even where extreme circumstances are thought to exist, you should under no circumstances approach a commercial body or the media with details of the suspected wrongdoing. If you approach any such body and / or where your concern is disclosed for personal gain, the School may consider this to be gross misconduct and immediate disciplinary action may be taken against you.

Queries

If you have any queries about this procedure, you should contact the Director of Finance and Operations or Principal.

Whistle Blowing policy Reviewed: December 2022

Next Review Due: December 2023