



# Whistleblowing Policy

Policy Source/Written By	JBIG
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Person responsible	Headteacher
Group responsible	Governing Body

The Academy is committed to conducting its business with honesty and integrity, and expects all staff to maintain high standards in accordance with their contractual obligations and the Academy's policies and procedures in force. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

**Policy Aims:**

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously, and investigated as appropriate, and that their confidentiality will be respected.
- To provide staff with guidance as to how to raise those concerns.
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the Academy and the Academy reserves the right to amend its content at any time. This Policy reflects the Academy's current practices and applies to all individuals working at all levels of the organisation, including the Principal, Heads of Department, members of the Senior Leadership Group, officers, Directors, employees, consultants, contractors, trainees, home-workers, part-time and fixed-term workers, casual and agency staff (collectively referred to as "Staff" in this policy) who are advised to familiarise themselves with its content.

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity;
- child protection and/or safeguarding concerns;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal or professional obligation or regulatory requirements;
- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures including our Code of Conduct;
- conduct likely to damage the Academy's reputation;
- unauthorised disclosure of confidential information;
- the deliberate concealment of any of the above matters.

A whistleblower is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the Academy's activities (a whistleblowing concern) you should report it under this policy. This policy should not be used for complaints relating to staff's own personal circumstances, such as the way you have been treated at work. In those cases you should use the Grievance Policy and Procedure or Anti-harassment and Bullying Policy as appropriate. If staff are uncertain whether something is within the scope of this policy they should seek advice from the Principal.

### **Raising a whistleblowing concern**

The Academy hopes that in many cases staff will be able to raise any concerns with their Line Manager and/or Head of Department speaking to them in person or putting the matter in writing if they prefer. They may be able to agree a way of resolving the concern quickly and effectively. In some cases they may refer the matter to the Governing Body.

However, where the matter is more serious, or you feel that your Line Manager/Head of Department has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

- The Principal
- The Chair of Governors

The Academy will arrange a meeting with you as soon as possible to discuss your concern. Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of your disclosure and any subsequent investigation.

The Academy will take down a written summary of the concern raised and provide the member of the staff with a copy as soon as practicable after the meeting. The Academy will also aim to give you an indication of how we propose to deal with the matter.

### **Confidentiality**

The Academy hope that Staff will feel able to voice whistle blowing concerns openly under this policy. However, if a member of staff wants to raise his/her concern confidentially, the Academy will endeavour to keep his/her identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of staff's concern to know your identity, the Academy will discuss this with the member of staff first. The Academy does not encourage Staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the Academy cannot obtain further information. It is also more difficult to establish whether any allegations are credible and have been made in good faith. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Public Concern at Work                      Helpline: (020) 7404 6609

(Independent whistleblowing charity)    E-mail: [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk)

Website: [www.pcaw.co.uk](http://www.pcaw.co.uk)

### **External disclosures**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases staff should not find it necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate for staff to report their concerns to an external body such as a regulator. It will very rarely, if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Whistleblowing concerns usually relate to the conduct of School Staff, but they may sometimes relate to the actions of a third party, such as a service

provider. The law allows staff to raise a concern in good faith with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, staff are encouraged to report such concerns internally first. Staff should contact one of the other individuals set out above for guidance.

### **Investigation and outcome**

Once a member of Staff has raised a concern, the Academy will carry out an initial assessment to determine the scope of any investigation.

The action taken by the Academy will depend on the nature of the concern. The matters raised may be:

- investigated internally by management or Corporate Audit and Standards or through the investigation process
- referred to the Police
- referred to the external auditor
- the subject of an independent inquiry  
(determined by the Monitoring Officer in consultation with the Chairman of the Standards Committee and Leader of the Council or an elected representative)

In order to protect individuals and the Academy, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations, which fall within the scope of specific procedures (for example child protection or discrimination issues), will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action without the need for investigation.

Within ten working days of a concern being received, the Academy will contact you, ideally in writing:

- acknowledging that the concern has been received;
- indicating how it proposes to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- telling you whether any initial enquiries have been made;
- telling you whether further investigations will take place, and if not, why not;
- giving you details of support mechanisms.

The amount of contact between the managers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you.

When any meeting is arranged, you have the right, if you so wish, to be accompanied by a union representative or a friend who is not involved in the area of work to which the concern relates. The Academy will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Academy will advise you about the procedure.

The Academy accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcome of any investigations. If you are not satisfied with the outcome of the investigation then based on the detail of the concern you will be advised of further channels that you can use to raise your concern

Where a case is investigated the detailed course of action will be determined by the Headteacher, or Chair of Governors as appropriate in line with the steps set out above. They will decide whether to publish any details of the concern and any action plan. If details are published they will discuss this with you and seek to address any concerns you have about anonymity. In the case of allegations against the Headteacher or other Senior Leadership Team members, the initial course of action will be determined by the Chair of Governors.

The member of staff is required to treat any information about the investigation as strictly confidential. If the Academy concludes that a whistleblower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistleblower will be subject to disciplinary action under the Academy's Disciplinary Policy and Procedure. Whilst the Academy cannot always guarantee the outcome a particular member of staff is seeking, the Academy will try to deal with the concern fairly and in an appropriate way. If a member of staff is not happy with the way in which his/her concern have been handled, he or she can raise it with one of the other key contacts as outlined above.

### **Protection and support for whistleblowers**

It is understandable that whistleblowers are sometimes worried about possible repercussions. The Academy aims to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken. Staff must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that he or she has suffered any such treatment, he or she should inform the Principal immediately. If the matter is not remedied, the member of staff should raise it formally using the Academy's Grievance Policy and Procedure. Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action. All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Principal in the first instance.