



## Whistleblowing Policy and Procedure

September 2016

### Introduction

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.

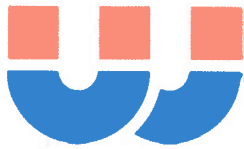
However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

This procedure is not a substitute for normal line management processes but an addition to them. Staff should always first consider using normal line management for raising concerns. This procedure is only for the purpose of raising concerns about wrongdoing and is not a substitute or alternative for existing procedures such as the Grievance, Disciplinary Procedures for staff or the complaints procedure.

This procedure should only be used where all other existing internal procedures are felt to be inappropriate or when a member of staff, for whatever reason, feels inhibited in going through the normal line management. As an example, therefore, if a member of staff has a personal grievance then it must be raised through the grievance procedure; it would not be appropriate for it to be raised through this procedure. The existence of this procedure does not prevent staff from raising concerns through their trade union if they so wish. The procedure is therefore not a route through which employees can raise concerns about mismanagement which may arise from weak management rather than malpractice.

### Aims of Policy

- 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 in good faith without fear of reprisals, even if they turn out to be a mistaken.



## **What is whistleblowing?**

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; \* See note at the end of this policy
- 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 the academy's internal policies and procedures including its 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 follow the Grievance Policy and Procedure.

If staff are uncertain whether something is within the scope of this policy they should seek advice from the Principal and if the matter is in relation to an alleged wrongdoing by the Principal or then staff should seek the advice of the Chair of Governors.

## **Raising a whistleblowing concern**

Concerns should be raised with the Principal. If the concern is about the Principal then the concern should be raised with the Chair of Governors. The Principal/ Chair of Governors will arrange a meeting with the 'whistleblower' as soon as practicable to discuss their concern. They will record sufficient details to enable the matter to be thoroughly investigated. As a minimum they will record the name of the employee



# Wayland Junior Academy Watton

but also indicate whether the individual wishes his or her identity to remain confidential, if possible and the nature of the concern. In some cases it will not be possible to maintain confidentiality and the Principal/ Chair of Governors should explain this to the employee. In such instances the employee will have the choice of either withdrawing or agreeing to his/her identity becoming known to enable the concern to be effectively dealt with.

Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

The academy will take notes and produce a written summary of the concern raised and provide the 'whistleblower' with a copy as soon as practicable after the meeting. The academy will also aim to give the "whistleblower" an indication of how it proposes to deal with the matter.

## **Confidentiality**

The academy hopes that staff will feel able to voice whistleblowing concerns openly under this policy. However, if a member of staff wants to raise his or her concern confidentially, the academy will endeavour to keep his or 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 the 'whistleblower's' identity, the academy will discuss this with the member of staff first.

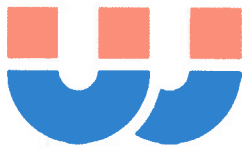
The academy does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the academy cannot obtain further information. It is also more difficult to establish whether any allegations are credible and have been made in good faith.

If an individual misuses the policy and procedure e.g. by making malicious or repeated unsubstantiated complaints against colleagues this could give rise to action under the academy's Disciplinary Procedure. If the Principal knows or has a suspicion that an employee comes into this category then s/he will take advice from the Chair of Governors who will help to determine what action should be taken.

The [NSPCC whistleblowing helpline](https://www.nspcc.org.uk/whistleblowing) is also available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – line is available from 8:00am to 8:00pm, Monday to Friday or via e-mail: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

## **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 academy will inform



# Wayland Junior Academy Watton

the 'whistleblower' of the outcome of its assessment. The member of staff raising the concern may be required to attend additional meetings in order to provide further information.

The academy will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the academy from giving specific details of the investigation or any disciplinary action taken as a result. 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.

## **Protection and support for 'whistleblower's**

It is understandable that 'whistleblower's 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 would include 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.

Staff must not threaten or retaliate against 'whistleblower's in any way. Anyone involved in such conduct will be subject to disciplinary action.

## **Safeguarding**

If a member of staff suspects that there is a serious safeguarding issue that they feel that the Principal is not taking seriously or that they believe there is a serious safeguarding issue involving the Principal they should in the first instance contact the Chair of Governors.



## Further advice and support

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your line manager, HR department and/or your professional trade union.

Further national guidance can be found at: [Advice on whistleblowing](#). The [NSPCC whistleblowing helpline](#) is also available for staff who do not feel able to raise concerns regarding child protection failures internally. Staff can call: 0800 028 0285 – line is available from 8:00am to 8:00pm, Monday to Friday or via e-mail: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

Signed Principal:

*See overleaf*

Signed Chair of Governors:

Date:

Review Date:

## Appendix 1

**Don't think what if I'm wrong – think what if I'm right**

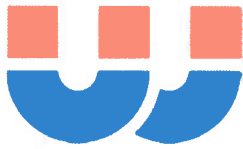
### Reasons for whistle blowing:

Each individual has a responsibility for raising concerns about unacceptable practice or behaviour.

- To prevent the problem worsening or widening.
- To protect or reduce risks to others.
- To prevent becoming implicated yourself.

### What stops people from whistle blowing:

- Starting a chain of events which spirals.



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- Disrupting the work or project.
- Fear of getting it wrong.
- Fear of repercussions or damaging careers.
- Fear of not being believed.

## How to raise a concern:

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can.
- The earlier a concern is expressed the easier and sooner action can be taken.
- Try to pinpoint exactly what practice is concerning you and why.
- Concerns should be raised with the Principal.
- If your concern is about the Principal you must contact the Chair of Governors.
- Make sure you get a satisfactory response – don't let matters rest.
- You should then put your concerns in writing, outlining the background and history, giving names, dates and places where you can.
- A member of staff is not expected to prove the truth of an allegation but will need to demonstrate sufficient grounds for the concern.

## Further advice and support

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Signed Principal:

Signed Chair of Governors:

Date: 30/8/16

Review Date: September 2017