



Whistleblowing

1. INTRODUCTION

1.1 This policy and procedure enables employees to exercise their rights under the Public Interest Disclosure Act 1998. It applies to all employees of Four Acres, which includes temporary employees, Seconded staff and agency staff.

1.2 The Academy encourages a free and open culture and is committed to high standards of honesty. The Academy will not tolerate any form of malpractice and recognises that employees have an important part to play in reporting any concerns.

1.3 The Academy recognises that it is often difficult for employees to report concerns through fear of victimisation or reprisal. This whistleblowing policy aims to reassure employees that they can raise genuine concerns without fear of reprisals. It aims to encourage and enable employees to raise concerns internally within the school, rather than overlooking the problem or raising the concern outside.

1.4 This policy and procedure does not apply to the general public, or Academy pupils who report alleged instances of malpractice by their teachers.

2. AIM AND SCOPE

2.1 The aim of this policy is to:-

- provide employees with avenues to raise concerns
- provide employees with feedback on any concerns raised
- reassure employees they will be protected from victimisation or reprisals if they raise any concerns
- enable employees to take the matter further if they are unhappy with the Academy's response

2.2 This policy is intended to cover concerns that fall outside of other procedures, including the following (this list is not exhaustive)

- a criminal offence
- a failure to carry out a legal obligation
- a miscarriage of justice
- endangering an individual's health and safety
- damage to the environment
- concealment of any of the above
- personal conduct

3. SAFEGUARDS

3.1 Victimisation

The Academy will protect any employee who makes a good faith disclosure from any form of victimisation and reprisals. Disciplinary action will be taken against any employee who engages in any form of harassment

or victimisation against an employee who has raised a concern. Employees who are concerned about reprisals can seek information and advice on anonymity from the HR advisors or Trade Union.

3.2 Anonymous Allegations

This policy encourages employees who raise concerns not to remain anonymous, by ensuring they will be protected from victimisation. However, where an employee wishes to remain anonymous, the Academy will attempt to protect their identity. This may not always be possible as employees who report concerns may be required to give evidence as a witness, in situations where disciplinary or criminal action is taken. The Academy will use its discretion in maintaining the anonymity of the individual concerned. The following factors would need to be taken into account:-

- the seriousness of the issue(s) raised
- the likelihood of obtaining information from alternative sources, which would confirm the allegation

3.3 Untrue Allegations

The Academy will protect individuals from false and malicious allegations. Allegations will be investigated before determining what action, if any, should be taken. Where it is established that an employee makes an allegation which is known to be false, malicious or for personal gain, they will be subject to disciplinary action, under the Disciplinary Procedure. Where allegations made in good faith are found to be untrue, no action will be taken against the employee raising the concern and the Academy will ensure that the negative impact on the person accused is minimised.

4. HOW TO RAISE A CONCERN

4.1 Employees should initially raise concerns with their Manager. However, this depends on the seriousness of the concern, the sensitivity of the issue raised and who is suspected of being involved in the malpractice. If, for some reason, the employee is unable to raise the concern with their Manager, they should contact one of the following:-

*Deputy Head
Children’s Centre Manager
Business Manager
Executive Headteacher*

4.2 Employees do not have to provide evidence of the allegation but will be expected to demonstrate that there are reasonable grounds for raising the concern.

4.3 Wherever possible, employees should raise concerns in writing which identify the nature of the concerns and the grounds on which these are based. Information on the background, history, names, dates and places should be provided if possible. If employees do not feel able to raise concerns in writing they may telephone the appropriate manager, or arrange to meet the officer face to face.

5. HOW THE ACADEMY WILL RESPOND

5.1 All concerns raised will be treated confidentially by those involved in the reporting process.

5.2 Action taken by the Academy will be dependent on the nature of the concern raised. The concerns raised may:

- be resolved by agreed action without the need for investigation
- be investigated by management
- at the discretion of the Academy, be the subject of an independent inquiry; or
- be referred to the police.

Initial enquiries will be made to determine the most appropriate form of investigation.

5.3 Employees will receive an initial response to any concerns raised within ten working days. Due to the nature of the concerns covered by this procedure it may not always be possible for the Academy to indicate how it proposes to deal with the matters raised and the timescales involved. However, the Academy undertakes to inform employees, who wish to know, of the progress and outcome where this will not compromise the process. This aims to reassure employees that the matter has been properly addressed.

5.4 The amount of contact between the individual raising the concern and the person(s) investigating the matter will be dependent upon the issue raised, the potential difficulties involved and the clarity of the information provided.

5.5 At any meeting arranged to investigate a concern the employee will have the right to be accompanied by their trade union representative or a work colleague, who is not involved in the area of work to which the concern relates

5.6 The Academy will take the necessary steps to minimise any difficulties that an employee may experience as a result of raising a concern.

6. HOW THE MATTER CAN BE TAKEN FURTHER

6.1 It is intended that this procedure will enable any employees to raise concerns within the Academy. If an employee is not satisfied that their concerns have been taken seriously, they should write to the Chair of Directors and request that the investigation is reviewed.

6.2 Employees are able to rely on their rights under the Public Interest Disclosure Act 1998, which came into force on 2 July 1999 and provides the following:

- protection from suffering any detriment as a result of making a ‘qualifying disclosure’, as defined within the Act
- a list of prescribed persons that employees can contact when raising a concern.

For further information on the Act you should contact the HR advisor.

6.3 Employees who do take a concern outside the Academy should ensure that they do not disclose confidential information, except in accordance with this procedure.

6.4 If you feel that it is right to take the matter outside the Academy the following are possible contact points:

- Audit Commission (telephone 020 7828 1212)
- The Police (Avon and Somerset Constabulary - local rate telephone number is 0845 4567000)
- Your trade union
- Your solicitor

- Public Concern at Work (an independent registered charity who can give advice - telephone number 020 7404 6609 or whistle@pcaw.co.uk)

This policy and procedure was adopted by the Directors on: Date 12 / 02 / 15

Director 1 Pat Triggs

Director 2 Robert Lane

Signature:

Signature:

Date: 5 Feb 2015

Date 26 Jan 2015

This policy and procedure was published on: Date 11/ Feb /2015 Signed: R Barfoot

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