



Whinless Down Academy Trust

Whistle Blowing Policy

Spring 2020

St Martin's School





Whistle Blowing Policy **Spring 2020**

Introduction

The Whinless Down Academy Trust are committed to the highest possible standards of openness, probity and accountability and we encourage staff and others working with us to raise any concerns about any aspect of our work to come forward and voice those concerns. In some instances, concerns may need to be expressed on a confidential basis.

This procedure encourages staff to raise serious concerns, without fear of reprisal or victimisation, internally within school, with the Trust Board or other agencies such as the Education Funding Agency (EFA) or Department of Education, (DFE) rather than over-looking a problem or raising the matter outside.

It applies to all staff, agency workers and supply staff and those contractors working on Trust premises, for example, cleaners, builders and drivers. It also covers suppliers and those providing services under a contract.

It is recognised that whistle blowing may engender feelings of disloyalty to colleagues or that staff may fear harassment or victimisation. These feelings, however natural, must never result in the behaviour that is causing concern, continuing.

Other Complaints Procedures

This procedure is separate from the school Complaints Procedures and other statutory reporting procedures. Child Protection issues should be reported according to the specific guidelines laid out in that policy. Any investigation into allegations of potential malpractice under this procedure will not influence or be influenced by any disciplinary or redundancy procedures that already affects an individual.

Aim

This procedure aims to ensure individuals are:

- encouraged to feel confident in raising serious concerns and to question and act upon concerns about practice
- provided with avenues to raise concerns and receive feedback on any action taken
- given a response to their concerns and are aware of how to pursue them if not satisfied.
- reassured that they will be protected from reprisals or victimisation if they have a reasonable belief that any disclosure has been made in good faith.

Behaviour that should cause concern:-

- conduct which is, has been or is likely to be an offence or breach of law
- conduct that has occurred, is occurring or is likely to occur the result of which the Academy Trust fails to comply with a legal obligation. For example unauthorised use of public funds, possible fraud and corruption, verbal, sexual or physical abuse, or other unethical conduct discrimination of any kind and waste/frivolous expenditure
- disclosures related past, current or likely miscarriages of justice

- past, current or likely health and safety risks, including risks to the public as well as other employees
- past, current or likely damage to the environment

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.

Confidentiality

All concerns raised will be treated in confidence and every effort will be made not to reveal your identity if this is your wish. However, in certain cases, it may not be possible to maintain confidentiality if you are required to come forward as a witness.

Anonymous Allegations

Whenever possible you should put your name to your allegation as concerns expressed anonymously are much less powerful than those that are attributed to a named individual. However, anonymous allegations will be considered and investigated at the academy's discretion. In exercising the discretion, the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

Untrue Allegations

If you make an allegation in good faith that is not subsequently confirmed by an investigation, no action will be taken. Disciplinary action will only be taken against individuals who knowingly make false, malicious or vexatious allegations.

How to raise a concern

- You should voice your concerns, suspicions or uneasiness as soon as you feel you can with your line manager. 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.
- If your concern is about your immediate line manager approach the Head of School or Executive Headteacher. If your concern is about the Head of School or Executive Headteacher or you feel you need to take it to someone outside the school, contact the Chair of The Trust Board.
- If it is felt that the matter is too serious or sensitive to raise within the internal environment of the school, the matter should be directed in the first instance to the Education Funding Agency, EFA, or Department of Education (DFE). Support may also be available from individual's professional organisation.
- Make sure you get a satisfactory response – don't let matters rest.
- Ideally you should 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 you will need to demonstrate sufficient grounds for the concern.

What happens next

- You should be given information on the nature and progress of any enquiries.
- Your employer has a responsibility to protect you from harassment or victimisation
- No action will be taken against you if the concern proves to be unfounded and was raised in good faith.
- Malicious allegations may be considered as a disciplinary offence.

Self-reporting

There may be occasions where a member of staff has a personal difficulty, perhaps a physical or mental health problem, which they know to be impinging on their professional competence. Staff have a responsibility to discuss such a situation with the Headteacher so professional and personal support can be offered to the member of staff concerned. Whilst such reporting will remain confidential in most instances, this cannot be guaranteed where personal difficulties raise concerns about the welfare or safety of children.

Further advice, support and contact details

It is recognised that whistle blowing can be difficult and stressful. Advice and support is available from your Head of School, The Executive Headteacher, and your professional organisation.

Chair of Trust Board: - Mrs Alison Mackintosh, c/o Priory Fields School, Astor Avenue, Dover Kent CT17 0FS

In addition, information and advice can be obtained from the charity 'Protect' (formerly Public Concern at Work). This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Visit www.protect-advice.org.uk.

Contact details for the Charity are as follows:

Protect
Suite 306
16 Baldwin Gardens
London
EC1N 7RJ

Telephone: 0203 117 2520.

Links to other policies:

Charges, Voluntary Contributions and Remissions Policy

Data Protection Policy

Grievance and Harassment Policy

Complaints Policy

Safeguarding Policy

Health and Safety Policy

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