



Whistle Blowing Policy Statement

Background

The United Kingdom public sector maintains high standards of openness, honesty, integrity and accountability. The Academy and the Trust Board share these standards and are committed to maintaining high standards in the conduct of all their affairs.

As part of this commitment the Academy and the Trust Board are committed to combating any acts of impropriety wherever they may arise in relation to any of the School's activities or services. In achieving this aim, the Academy and the Trust Board have put in place arrangements to ensure high standards are maintained and that any act of impropriety is prevented or is detected at an early stage.

The Academy and the Trust Board realise, however, that, despite their best efforts, impropriety (e.g. unlawful conduct, financial malpractice, conducting activity which may present a danger to the public, employees or the environment) can be discovered by chance. It is often through the alertness of not only their workers but members of the public, other authorities or agencies, service users, partners or suppliers / contractors etc. that impropriety is detected. Consequently the Academy and the Trust Board acknowledge the important role that these parties, play in helping the Academy and the Trust Board to maintain high standards and are keen to involve them in its arrangements for the detection of acts of impropriety.

Commitment

The Trust Board is committed to the principle that where any person, i.e. worker, Governor, member of the public or any other external body, becomes aware of, or has concerns about, activity in the Academy which appears to fall below its high standards of honesty, integrity, openness and accountability, they should be reported promptly to the Academy or another appropriate body.

As part of this commitment the Trust Board acknowledges the need to encourage any person who may have concerns about any aspect of the Academy's work to come forward and voice those concerns. The Trust Board is committed to creating and maintaining a culture whereby any individual who seeks to express concerns and suspicions may do so with confidence, without fear of repercussion or intimidation and in the knowledge that the information will be treated confidentially and will be investigated fully and rigorously.

Implementation

The Trust Board is committed to establishing and maintaining effective reporting arrangements to ensure that, where any individual, has serious concerns regarding the conduct of any aspect of the Academy's business, can do so promptly and in a straight forward way.

The framework in place to ensure the aims of this Policy are met is set out in Whistle Blowing Policy Arrangements appendices, one for School Appointed Workers and one for members of the public.

Awareness

The Academy and the Trust Board will seek to ensure that its policy and arrangements for Whistle Blowing are widely publicised.

Further Guidance – Appendices

Whistle Blowing Policy Arrangements, one for School Appointed Workers and one for members of the public.

Appendix One - Whistle Blowing Policy Arrangements for School Appointed Workers

Introduction

Barnes Infant Academy is committed to the highest possible standards of openness, honesty, integrity and accountability. As part of this commitment the Academy is keen that activity, which falls below these standards, is reported to the Trust in order that it can be dealt with promptly. The Academy acknowledges that workers are often the first to realise that there may be something seriously wrong within their organisation and that the Academy needs to encourage workers and others with concerns about any aspect of the Academy's work to come forward and voice those concerns. Usually these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice or dangers to the public, other staff or the environment, it can be difficult to know what to do. Specific examples could include:

- a criminal offence (e.g. fraud, corruption etc.) may have or has been committed;
- a miscarriage of justice has been or is likely to occur;
- the health or safety of an individual has been or is likely to be endangered;
- public funds are being used in an unauthorised manner;
- the environment has been or is likely to be damaged;
- the Academy's Constitution (e.g. Code of Conduct, Contract Procedure Rules, Financial Procedure Rules) has been or is being breached by members and / or workers;
- abuse (e.g. physical, sexual) of any worker or service recipient is taking place;
- discrimination to any worker or service recipient, e.g. disability, race etc.;
- information relating to any of the above is being deliberately concealed.

You, as an Academy worker, may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may also fear harassment or victimisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

The Academy has introduced this Whistleblowing Policy to enable you to raise your concerns about such malpractice at an early stage and in the right way. We would rather that you raised the matter when it is just a concern rather than wait for proof. The Whistleblowing Policy is intended to encourage and enable you, as a worker, to raise serious concerns within the Academy rather than overlooking a problem or simply reporting it outside. It should be read in conjunction with the Code of Conduct for the Academy.

If something is troubling you, which you think we should know about, or look into, please use this policy. Don't ignore the concern. If, however, you have a grievance about your own personal position or employment, please use the Academy's

Grievance Procedure. This Whistleblowing Policy is primarily for concerns where the interests of others or of the organisation itself are at risk.

Aims

This policy aims to:

- encourage workers to feel confident in raising serious concerns;
- reassure workers that, when they raise any concerns in good faith and reasonably believe them to be true, i.e. “whistleblow”, they will be protected from reprisals or victimisation;
- provide avenues for a worker to raise concerns and receive feedback on any action taken;
- ensure that workers get a response to the concerns they have raised from the Academy and, if not satisfied, shows how they may take the matter further if they are dissatisfied with the response;

Scope

This policy may be used by all workers in the Academy. This includes permanent and temporary employees of the Academy, agency workers, home workers and Academy employees seconded to a third party.

It is not intended that this policy, and its associated procedures, be used to raise concerns which fall within the scope of other Academy procedures where more appropriate procedures are available, for example:

- grievances (see Grievance Procedure);
- harassment (see Harassment at Work Policy)

Safeguards

Harassment or Victimisation

The Academy recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Academy will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. If you raise a genuine concern under this policy, you will not suffer any detriment in connection with your employment. Therefore, providing you are acting in good faith, it does not matter if you are mistaken.

However, this does not mean that, if you are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of your disclosure.

Confidentiality

The Academy will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent or unless instructed by a Tribunal or Court. If the situation arises where we are not able to resolve the concern without revealing your identity (e.g. a statement by you may be

required as part of the evidence) we will discuss with you whether and how we can proceed.

Anonymous Allegations

This policy strongly encourages you to put your name to your allegation. Concerns expressed anonymously will be much more difficult for us to look into or to protect your position or to give you feedback. Concerns raised anonymously are much less powerful and less likely to be effective, but they will be considered at the discretion of the Academy.

In exercising discretion, the factors to be taken into account would include:

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

Untrue or Malicious Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you.

How to Raise a Concern

As a first step, you should normally raise concerns with the Headteacher. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that management is involved, you should approach the Headteacher in the first instance, or if this is inappropriate the Chair of Governors. Please say if you want to raise the matter in confidence so the person you contact can make appropriate arrangements.

Concerns are better raised in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation. You can telephone or meet the appropriate officer before submitting your concerns in writing.

The earlier you express the concern, the easier it is to take action. You may also wish to involve your Trade Union representative at this stage.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

You may also invite your trade union or professional association to raise a matter on your behalf.

How the Academy will respond

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

- be investigated internally;
- be referred to the Police;

- be referred to the External Auditor.

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) 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 write to you:

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

The amount of contact between the officers 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 Trade Union colleague, a work colleague, a professional association 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 and as such, where possible, the Academy will provide information in this regard.

Independent Advice

If you are unsure whether to use this Policy or you want independent advice at any stage, you may contact:

- if applicable, your union;
- the independent charity Public Concern at Work on 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

How the matter can be taken further

This policy is intended to provide you with an avenue to raise concerns within the Academy and to give you the reassurance you need to raise such matters internally. The Academy hopes you will be satisfied. If you are not, and if you feel it is right to take the matter outside the Academy, the following are possible contact points:

- the Academy's External Auditor the Police;
- the Local Government Ombudsman (0845 602 1983);
- the Information Commissioner (01625 545 700);
- Audit Commission Public Interest Disclosure line (0845 052 2646);
- UNISON Whistleblowing hotline (0800 597 9750).

The list above is not exhaustive and other possible parties to contact may be:

- relevant professional bodies or regulatory organisations;
- your solicitor.

We would rather you raised a matter with the appropriate regulator or outside body than not at all. You may raise a concern with any of the above provided that:

- a) you make the disclosure in good faith;
- b) you reasonably believe that the information disclosed, and any allegation contained in it, are substantially true;
- c) you do not make the disclosure for the purposes of personal gain.

Again appropriate legal advice should be sought prior to raising a matter externally.

If you do take the matter outside the Academy, you need to ensure that you do not disclose confidential information or that disclosure would be privileged.

The Responsible Officer

The Academy Trust has overall responsibility for the maintenance and operation of the Whistleblowing Policy. The Academy Trust will maintain a corporate register of the number and nature of the concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Department of Education, where appropriate.

The Policy will be reviewed regularly to ensure the Policy remains up to date and to ensure it remains effective. The review will be carried out by the Governing Body and the Head Teacher.

Appendix Two - Whistle Blowing Policy Arrangements for members of the public.

Introduction

Barnes Infant Academy Academy is committed to the highest possible standards of openness, honesty, integrity and accountability. As part of this commitment the Academy is keen that activity, which falls below these standards, is reported to the Academy in order that it can be dealt with promptly. The Academy acknowledges that members of the public are often the first to realise that there may be something seriously wrong regarding the activities of the Academy or the Academy is suffering loss in some form. The Academy recognises the need to encourage all members of the community with concerns about any aspect of the Academy's work to come forward and voice those concerns. Usually these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice or dangers to the public, including Academy service recipients, or the environment, it can be difficult to know what to do. Specific examples could include:

- a criminal offence (e.g. fraud, corruption etc.) may have or has been committed;
- a miscarriage of justice has been or is likely to occur;
- the health or safety of an individual has been or is likely to be endangered;
- public funds are being used in an unauthorised manner;
- the environment has been or is likely to be damaged;
- the Academy's own rules have been or are being breached;
- abuse (e.g. physical, sexual) of a service recipient or Council employee is taking place;
- discrimination towards a service recipient, e.g. disability, race etc.;

You, as a member of the public, may be worried about raising such issues or may want to keep the concerns to yourself, perhaps feeling it's none of your business or that it's only a suspicion. You may also fear you may not be taken seriously, even ridiculed, or be victimised in some way. You may decide to say something but find that you are not sure how to raise the issue or are not sure what to do next.

The Academy has introduced this Whistleblowing Policy – Arrangements for the Public, specifically to enable you, as a member of the public, to raise your concerns about suspected malpractice at an early stage and in the right way. We would rather that you raised the matter when it is just a concern rather than wait for proof. The Whistleblowing Policy is intended to encourage and enable you, as a member of the community, to be able to communicate serious concerns with the Academy rather than overlooking a problem.

If something is troubling you, which you think we should know about, or look into, please use this policy. Don't ignore the concern.

Aims

This policy aims to:

- encourage members of the public to feel confident in raising serious concerns;
- reassure members of the public that, if they raise any concerns in good faith and reasonably believe them to be true, i.e. “whistleblow”, they will be protected from victimisation and their concerns will be taken seriously;
- provide avenues for a member of the public to raise concerns and receive appropriate feedback on any action taken;
- ensure that members of the public get an appropriate response to the concerns they have raised from the Academy and, if not satisfied, show how they may take the matter further if they are dissatisfied with the response.

Scope

This document may be used by any ‘member of the public’, i.e. any individual who is not an employee of the Academy. This includes suppliers, contractors, partners, consultants, service providers, Academy service recipients, customers, claimants, other Local Authorities or organisations, Governors and any members of the public.

It is not intended that this policy, and its associated procedures, be used to raise concerns which fall within the scope of other Academy procedures where more appropriate procedures are available, for example complaints about service delivery.

Safeguards

Harassment or Victimisation

The Academy recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Academy will not tolerate victimisation and will take appropriate action to protect you when you raise a concern in good faith.

Confidentiality

The Academy will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent or unless instructed by a Tribunal or Court. If the situation arises where we are not able to resolve the concern without revealing your identity (e.g. a statement by you may be required as part of the evidence) we will discuss with you whether and how we can proceed.

Anonymous Allegations

This policy strongly encourages you to put your name to your allegation. Concerns expressed anonymously will be much more difficult for us to look into or to protect your position or to give you feedback. Concerns raised anonymously are much less powerful and less likely to be effective, but they will be considered at the discretion of the Academy.

In exercising discretion, the factors to be taken into account would include:

- the seriousness of the issues raised;

- the credibility and plausibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

How to Raise a Concern

As a first step, you should normally raise concerns with the Headteacher. An alternative would be to contact the Chair of Governors. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that management of the particular service area is involved then, alternatively, the following individuals can be contacted.

- Headteacher in the first instance;
- Chair of Governors;
- Barnes Infant Academy Trust Board

Please say if you want to raise the matter in confidence so the person you contact can make appropriate arrangements.

Concerns are better raised in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation. You can telephone or meet the appropriate officer before submitting your concerns in writing.

The earlier you express the concern, the easier it is to take action.

Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

How the Academy will respond

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

- be investigated internally;
- be referred to the Police;
- be referred to the Academy's External Auditor.

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) 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 write to you:

- acknowledging that the concern has been received;
- indicating, in overall terms, how it proposes to deal with the matter.

The amount of contact between the Academy officers 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.

The Academy will take steps to minimise any difficulties, which you may experience as a result of raising a concern.

The Academy accepts that you need to be assured that the matter has been properly addressed and as such, where possible, the Academy will provide information in this regard.

How the matter can be taken further

This policy is intended to provide you with an avenue to raise concerns directly with the Academy and to give you the reassurance you need to raise such matters in this manner.

The Academy hopes you will be satisfied with the response of the Academy. If you are not, or if you feel, for whatever reason, you cannot raise the matter directly with the Academy then the following are possible contact points:

- the Academy's External Auditor
- the Police;
- the Local Government Ombudsman (0845 602 1983);
- the Information Commissioner (01625 545 700);
- Audit Commission Public Interest Disclosure line (0845 052 2646);

The list above is not exhaustive and other possible parties to contact may be:

- your local Councillor (if you live in the area of the Council);
- relevant regulatory organisations;
- your solicitor.

We would rather you raised a matter with the appropriate regulator or outside body than not at all.

The Responsible Officer

The Trust Board has overall responsibility for the maintenance and operation of the Whistleblowing Policy. The Headteacher will maintain a corporate register of the number and nature of the concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Department of Education, where appropriate.