

SHAW WOOD ACADEMY



WHISTLEBLOWING POLICY

Date Prepared : February 2019	Prepared By : MR	Reviewed Date February 2021
Approved By Governors :	Signed By Chair :	Dated By Chair :

1.**INTRODUCTION**

- 1.1 Employees are often the first to realise that there may be something seriously wrong with their organisation. However, they may not express their growing concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may be just suspicion of malpractice and wrongdoing at work.
- 1.2 We are committed to the highest possible standards of openness, probity and accountability. In line with this commitment, we expect employees and others with genuine concerns about any of the organisations work to come forward and voice those concerns. This policy document makes it clear that employees can do so without fear of reprisals. The whistleblowing policy is intended to encourage and enable employees to raise such concerns **within** the organisation rather than overlooking the problem or blowing the whistle outside.
- 1.3 This procedure accords with the requirements of the Public Interest Disclosure Act 1998 and is compatible with the conventions contained in the Human Rights Act 1998.
- 1.4 The procedure allows school-based employees to raise concerns about the management of the school with the governing body.

2.**AIMS AND SCOPE OF THIS POLICY**

- 2.1 This policy aims to:
- Provide avenues for you to raise genuine concerns and receive feedback on any action taken;
 - Allow you to take the matter further if you are dissatisfied with the governing body response;
 - Reassure you that steps will be taken to protect you from reprisals or victimisation for whistleblowing in good faith.
 - Encourage the internal reporting of wrongdoing in a safe and constructive manner;
- 2.2 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. This whistleblowing policy is intended to cover genuine concerns that fall outside the scope of other procedures.

That concern may be about something that you believe:

- Is unlawful;
- Is against the Governing Body's Standing Orders or policies;
- Is against the Council's Standing Order or policies;
- Falls below established standards of practice;
- Amounts to improper conduct;
- Is a Health and Safety risk, including risks to the public as well as pupils or other colleagues;
- Is damaging the environment;
- Contradicts the Council's or Governing Body's Codes of Conduct.

2.3 The procedure will be communicated to all school employees as well as agency workers and supply teachers working in schools on a temporary basis.

3. SAFEGUARDS

3.1 Harassment or Victimisation

We recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal. Shaw Wood Academy will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. However, should you feel that you have suffered harassment, either directly or indirectly as a result of raising a concern, you should refer to the School's Harassment and Bullying Policy and Code of Practice.

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 whistleblowing.

3.2 Confidentiality

We will do our best to protect your identity when you raise a concern. However, it must be appreciated that, in the interests of natural justice, any investigation process may reveal the source of the information and a statement by you may be required as part of the evidence.

3.3 Anonymous Allegations

You are strongly encouraged to put your name to any allegation. Concerns expressed anonymously are much less powerful. Anonymous allegations will be considered and any action taken at the discretion of the school.

In exercising this discretion, the following factors will be taken into account when considering how to deal with any allegations:

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

3.4 Malicious or Vexatious 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 a malicious or vexatious allegation, disciplinary action may be taken against you in accordance with the School's Disciplinary Procedure.

4. HOW TO RAISE A CONCERN

- 4.1 As a first step, you should normally raise concerns with your immediate line manager or Headteacher. This depends, however, on the seriousness and sensitivity of the issues involved and who you think may be involved in the malpractice. For example, if you believe that your line manager is involved, you should approach your Head. If you feel the Head may be involved, your Chair of Governors should be approached.
- 4.2 If the concern is about the governing body or the LA, the matter should be raised with a named LA officer.
- 4.3 Advice and guidance on how matters of concern may be pursued can be obtained from:
- Your line manager;
 - Headteacher;
 - Chair of Governors;
- 4.4 Concerns are better raised in writing. You are advised to set out background and history of your concerns, giving names, dates and places, where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or arrange to meet an appropriate officer who will agree a written statement with you. If you are a member of a trade union you may find it helpful to take advice from them about putting your concerns in writing.
- 4.5 You may ask your trade union representative to raise the matter on your behalf.
- 4.6 The earlier you express your concern, the easier it is for the governing body or LA to take action.
- 4.7 For concerns other than fraud, theft or corruption, you may choose to telephone the relevant manager. You can also report your concern to the Chair of Governors

- 4.8 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 initial enquiries to be made.

5. HOW THE ORGANISATION WILL RESPOND

- 5.1 The action taken by the organisation will depend on the nature of the concern. The matters raised may:
- Be investigated internally;
 - Be referred to the Police;
 - Be referred to an external body;
 - Form the subject of an independent enquiry.
 - Result in no further action may be taken
- 5.2 In order to protect individuals and/or the organisation, initial enquiries will be made to decide whether a formal investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (e.g. child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 5.3 Some concerns may be resolved by agreed action without the need for an investigation.
- 5.4 We will write to you, usually within ten working days of a concern being received to:
- Acknowledge that the concern has been received;
 - Indicate how it proposes to deal with the matters;
 - Give an estimate of how long it will take to deal with the matter;
 - Tell you whether any initial enquiries have been made; and
 - Inform you whether further investigations will take place, and if not, why not.
- 5.5 The amount of contact between you and the investigating officers considering the issues, 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.
- 5.6 When any meeting is arranged to discuss your concerns, you have the right, if you so wish, to be accompanied by a trade union representative or a work colleague who is not involved in the area of work to which the concern relates and who also who could not be called as witness.
- 5.7 We 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, we will advise you about the procedure.
- 5.8 We accept 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.
- 5.9 Any person who is subject of an allegation should, at the appropriate times be given details of the allegation in order to respond. They will have the right to trade union representation.

6.**THE RESPONSIBLE OFFICER**

Within the academy the Monitoring Officer, Director of Policy, Performance & Governance, has overall responsibility for the maintenance and operation of this policy. The Monitoring Officer maintains a record of genuine concerns raised and the outcomes are reported as necessary to the Council, in a form that endeavours to maintain your confidentiality as far as possible (please see paragraph 3.2).

Within your school the Chair of Governors will carry out the functions carried out by the Monitoring Officer. The Chair will report as necessary to the Governing Body rather than the council, in a form that endeavours to maintain your confidentiality as far as possible.

The Chairs email address is : val.wren@shawwood.doncaster.sch.uk

7. REVIEW AND MONITORING

7.1 This policy will be reviewed and monitored every two years.

