



Wade Deacon High School

Wade Deacon Trust

Exceptional Values

Exceptional Learning & Teaching

Exceptional Achievement

WHISTLEBLOWING POLICY 2016-2017



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Policy & Procedure Number:

Date of Governing Body Review: September 2016

Next Review Due: July 2017

School Link: Mr S. Corner

Introduction:

Wade Deacon is committed to the highest possible standards of openness, integrity and accountability. In line with that commitment, staff, governors and others that we deal with, who have serious concerns about any aspect of the Academy are encouraged to voice those concerns.

Staff and governors at the Academy are often the first to realise that there may be something seriously wrong within the Academy. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Academy. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

This document makes it clear that concerns may be reported without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing Procedure is intended to encourage and enable staff and governors to raise serious concerns within the Academy rather than overlooking a problem or raising the matter externally.

The procedure applies to all staff, governors and those contractors working for the Academy. It also covers suppliers and those providing services to the Academy.

The procedure supplements the Turst Complaints Procedures, Grievance Procedure and Child Protection policies.

Aims and Scope of this procedure:

Whistleblowing may be defined as *the disclosure, by staff and governors (former or current) and other individuals, of illegal or illegitimate practices.*

The Procedure aims to:

- encourage staff and governors to feel confident in raising serious concerns and to question and act upon concerns about practices within the Academy;
- provide avenues for staff and governors to raise those concerns and receive feedback on any action taken;
- ensure that staff and governors receive a response to their concerns;
- reassure staff and governors that they will be protected from possible reprisals or victimisation where they have a reasonable belief that they have made any disclosure in good faith.

There are existing procedures within the Academy to enable individuals to lodge a grievance or a complaint. The Whistleblowing Procedure is intended to cover major concerns that fall outside the scope of other procedures. These include:

- possible fraud and corruption;
- the unauthorised use of Academy funds;
- failure to comply with Financial Regulations;
- failure to comply with Codes of Practice;
- conduct which is illegal, an offence or a breach of law;
- disclosures related to miscarriages of justice;
- health and safety risks, including risks to pupils, the public as well as other colleagues;
- damage to the environment;
- other unethical conduct.
- sexual or physical abuse.

Assurances to staff and governing body

Disclosures made in good faith by staff and governors etc., under this procedure will be treated confidentially, seriously and sensitively.

Requests for anonymity, where made, will normally be met, but there may be circumstances such as prosecutions or disciplinary investigations where individuals may be asked to come forward as a witness. However staff and governors are encouraged to put their names to any concerns raised and to the investigation of those concerns.

The Academy will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect staff and governors when they raise a concern in good faith.

Under the Public Interest Disclosure Act 1998, where an employee/governor has made a “qualifying disclosure” it will be unlawful to dismiss or subject the employee/governor to any other detriment as a result of this disclosure. A “qualifying disclosure” means any disclosure of information which, in the reasonable belief of the employee/governor making the disclosure, tends to show one or more of the following:

- a criminal offence has been committed, is being committed or is likely to be committed;
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject;
- a miscarriage of justice has occurred, is occurring or is likely to occur;
- the health or safety of any individual has been, is being or is likely to be endangered;
- the environment has been, is being or is likely to be damaged;
- information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

False Allegations

If an allegation is made in good faith, but it is not substantiated, no disciplinary action will be taken against the person raising the concern. If, however, an allegation is made frivolously, maliciously or for personal gain, the Academy will investigate this under the Academy's adopted Disciplinary Procedure.

How to raise a concern

As a first step, concerns should normally be raised with the Principal. If the concern relates to the Principal the matter should be raised with the Chair of Governors. If the concern relates to the Chair of Governors it should be raised with the Director of People at the Local Authority, Halton.

Concerns may be raised verbally or in writing. The earlier a concern is expressed then the easier it is to take action. Although individuals are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate that there are reasonable grounds for their concern.

Those raising concerns may invite a colleague, a friend or representative to be present during any meetings or interviews in connection with the concerns they raise.

How the academy will respond

The Principal, Chair of Governors or the Director of People will respond to concerns raised and it should be noted that testing out concerns is not the same as either accepting or rejecting them.

In order to protect individuals and those accused of misdeeds or possible malpractice, 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 (eg. Grievance or Child Protection Issues), will normally be referred for consideration under those procedures. In addition, issues initially raised within the Whistleblowing procedure may also be dealt with within the Disciplinary procedure.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted. Matters relating to alleged financial irregularities may be referred to the Education Funding Agency.

The level of contact between the persons investigating the concern and the person who raised the initial concern will depend on the nature of the concern, the potential difficulties involved and the complexity of the information provided. If necessary further information will be brought from whoever raised the initial concerns.

Those raising a concern should be written to within ten working days:

- acknowledging that the concern has been received;
- indicating how it is proposed to deal with the matter;
- giving an estimate of how long it will take to provide a final response;

- indicating whether any initial enquiries have been made;
- advising on staff support mechanisms;
- indicating whether further investigations will take place and, if not, why not.

Where any meeting is arranged, those raising a concern may be accompanied by a colleague, friend or representative

The governors accept that assurances need to be given that the matter has been properly addressed. Subject to legal constraints, whoever raised the initial concerns will be informed the outcome of any investigation

How the matter can be taken further

This policy is intended to provide an avenue within the Academy to raise concerns. If the person raising the concern is dissatisfied and feels it is appropriate to take the matter outside the Academy, the following are possible contact points:

- National Audit Office Department for Education (EFA)
- Trade Union
- Local Citizens Advice Bureau
- Relevant professional body or regulatory organisation
- The Police.

If the matter is taken outside the Academy, individuals should ensure that they do not disclose confidential information.

Contact with the Press about matters under this procedure should only be made via the Trust Communications Team