

Inspiration Academy Trust



Whistleblowing Policy

Inspiration Academy Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

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Document History

Date	Version	Amended By	Comment (e.g. reason for version change)
September 2012	1	Myra Eagles	Policy drafted
09/12/16	2	Ceri Jewell	Policy updated from maintained school policy, to Academy policy including more information on Financial regulation and fraud protection
3/1/17	2	Nicky Mann	Tracked changes and final proof read
26.01.17	1	Nikki Cowlard	Read and ratified on behalf of the Governing Board/Trustees
September 2018		Katie Muir	Policy updated
March 2020	3	Tara Cooke	Draft Policy Updated

Inspiration Academy Trust aims for the highest achievement for all, providing a welcoming, imaginative and creative environment which enriches the lives of all involved, where people are valued and make positive contributions to the academy community, and where children go on to become responsible, independent members of society.

Principles:

The academy is committed to the highest possible standards of openness, probity and accountability in the delivery of its services to its pupils, staff, parents and the general community. Whilst the academy has put in place a wide range of rules, regulations, procedures and codes of practice to deliver this commitment, malpractice and/or wrongdoing unfortunately may occur.

Purposes:

This policy sets out the principles within which the academy will deal with whistleblowing issues, subject to the understanding that each case may need to be treated on its own individual merits. Once adopted by the Governing Board, this policy applies to all academy staff, teaching and non-teaching (including full-time, part-time, permanent, fixed term, temporary contract, or agency staff).

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
- Manipulation of accounting records and finance
- Inappropriate use of school assets or funds
- Failure to comply with Standing Orders and Financial Regulations
- Failure to comply with Codes of Practice
- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to students, the public as well as other colleagues
- Damage to the environment
- Other unethical conduct
- Decision-making for personal gain
- Abuse of position
- Fraud and deceit
- Mistreatment of any person
- Sexual, physical or emotional abuse of members of staff or pupils
- Unfair discrimination or favouritism
- Racist incidents or acts, or racial harassment
- Any attempt to prevent disclosure of any of the issues listed

Definition:

Whistleblowing inside the work place is the reporting by workers or ex-workers, of wrong doing such as fraud, malpractice, mismanagement, breach of health and safety law or any other illegal or unethical act either on the part of management, the Academy Trust or by fellow employees. Workers may include, for example, contractors and agency workers.

There is a balance to be struck between the right of the individual member of staff to speak freely on a range of matters and the right of the Academy or colleagues to protect themselves against false and malicious accusations. A Whistleblowing procedure is about the ways in which concerns about malpractice may properly be raised within the Academy and if necessary reported to the appropriate person/body.

Legislation:

The Public Interest Disclosure Act 1998 is designed to protect ‘whistleblowers’ from detriment and unfair dismissal. The people protected by the Act include workers, employees, third party contractor staff, agency workers and work experience providers. The PIDA protects employees against victimisation if they make a protected disclosure within the meaning of the PIDA and speak out about concerns, conduct or practice within the Academy which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice.

The Academies Financial Handbook sets out a requirement for whistleblowing guidelines to be available in all academies.

Guidelines:

Employees are often the first to realise that there may be something seriously wrong within the academy. However, you may be worried about raising such issues or may want to keep the concerns to yourself because you may consider that it is none of your business or that it is only a suspicion. You may also feel that raising the matter would be disloyal to your colleagues, managers or to the academy itself. Also, you may decide to say something but find that you have not spoken to the right person, or you have raised the issue in the wrong way and are not sure what to do next.

It is worth remembering that your Trade Union, professional organisation or regulatory body can play a valuable role in assisting you raise your concerns under this policy. The academy is not prepared to tolerate any such malpractice, abuse or wrongdoing and it expects employees, and others that we deal with, who have concerns about what is happening at work to come forward and voice those concerns.

This policy has been introduced by the academy to enable you to raise your concerns about such malpractice or wrongdoing at an early stage and in the right way, without fear of victimisation, subsequent discrimination or disadvantage. The policy is intended to encourage and enable you to raise concerns within the academy or if you feel that this is not appropriate then externally rather than overlooking a problem.

The academy has particular responsibility for protecting the welfare of children and employees are under an obligation to raise concerns about the abuse of such individuals.

Independent Advice: If you are unsure whether to use this procedure or you want independent advice at any stage you may contact Prevent (formerly Public Concern at Work):-

Prevent
The Green House
244-254 Cambridge Heath Road
London E2 9DA
Protect Advice Line: 020 3117 2520 (* option 1)

Prevent is a registered charity which promotes accountability and good governance in organisations and responsibility amongst individuals. It has been at the forefront of recent developments in self-regulation and public interest. Its lawyers can give you free, confidential advice at any stage about how to raise a concern about serious wrongdoings or malpractice at work.

Alternatively, you may wish to seek assistance from your Trade Union or professional organisation. The contact points for recognised Trade Unions within the academy are as set out in **Appendix “A”**.

What is Malpractice, Abuse or Wrongdoing?

Malpractice, abuse and wrongdoing can include a whole variety of issues and some are listed in **Appendix "B"**. However, this is not a comprehensive list but is intended to illustrate the sort of issues which may be raised under this policy. This policy is primarily for concerns where the interests of others or of the academy itself are at risk and thus if you are aggrieved as an employee about your personal position then you should use the academy's existing grievance procedure.

The Academy's Assurances to Employees:

If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of retribution as a result. If you are acting in good faith it does not matter if you are mistaken. However, the academy will view very seriously any false and malicious allegations which are made under this policy and will regard such allegations by any employee of the academy as a serious disciplinary offence.

The academy will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. However, it is possible that we will be unable to resolve the concern raised without revealing your identity (e.g. because your evidence is needed in Court) but if this occurs we will discuss with you how we can proceed.

How to Raise a Concern:

Any concerns that you have may be raised orally or in writing and those who wish to make a written statement should set out the background and history of the concern (giving relevant dates) and the reasons why you are particularly concerned about the situation. The earlier you express your concern the easier it will be to take action.

REMEMBER - IF IN DOUBT RAISE IT.

The academy will not expect you to prove that your concern is true, but you will need to demonstrate to the person contacted that there are reasonable grounds for you to raise the issue. It is perfectly acceptable for you to discuss your concern with a colleague and you may find it more comforting to raise the matter if there are two (or more) of you who have had the same experience or concerns.

If you are an employee and have a concern about any malpractice, abuse or wrongdoing, we hope you will feel able to raise it first with your Line Manager or their superior. If you feel unable to raise the matter with your Line Manager or their superior, then please raise the matter with the Head Teacher.

If the above channels have been followed and you still have concerns or if you feel that the matter is so serious that you cannot discuss it with your Line Manager, their superior or your Head Teacher or, you consider that it is not appropriate to do so, then you can contact the Chair of Governors, Mr John Albert via her email cog@wallace-fields-infant.surrey.sch.uk

Allegations Concerning Safeguarding/Child Protection Issues:

If a member of staff raises a concern related for a child protection/safeguarding issue, they should contact the Head Teacher or Chair of Governors. If the concern is about the Head Teacher you - should urgently consult the Local Authority Designated Officer (LADO).

The member of staff can also make a direct referral to Children's Social Care/Services, either before or after raising their concern. Please refer to the Child Protection and Safeguarding Policy.

How the Academy will handle the matter:

Once you have told us of your concern we will look into it to assess initially what action should be taken. This may involve an internal enquiry or a more formal investigation. We will tell you who is handling the matter, how you can contact him/her and whether your further assistance may be needed. If you request, we will write to you summarising your concern and setting out how we propose to handle it. It may be necessary to arrange a meeting with you and if you so wish you can be accompanied by a Trade Union representative or a work colleague.

Where it is considered appropriate, the matters raised may be referred to external agencies to investigate, e.g. the Police, external auditor or through some other form of independent inquiry. We will of course, tell you if this is going to happen.

Within 10 working days of a concern being raised by you, the person handling the matter will write to you:-

- (a) Acknowledging that the concern has been received
- (b) Indicating how we propose to deal with the matter
- (c) Giving an estimate of how long it will take to provide a final response
- (d) Telling you whether any initial enquiries are being made
- (e) Supplying you with information on staff support mechanisms
- (f) Telling you whether further investigations will take place, and if not, why not.

Whilst the purpose of this policy is to enable us to investigate your concerns of malpractice, abuse or wrongdoing and take appropriate steps to deal with it, we will give you as much feedback as we properly can.

Please note that we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else. The academy will take steps to minimise any difficulties which you may experience as a result of raising the concern. Thus, if you are required to give evidence in criminal or disciplinary proceedings the academy will arrange for you to receive advice about the procedure.

The Inquiry Process:

The Investigating Officer will:

- Look into the allegation - seeking evidence and interviewing witnesses as necessary
- Maintain confidentiality wherever possible, but will be mindful that there is no guarantee that the whistleblower can remain anonymous
 - If appropriate, bring the matter to the attention of the person in the EFA who deals with complaints about financial management of schools
 - If appropriate, for concerns of criminal behaviour, refer the matter to the Police
 - If appropriate, for concerns of child protection/safeguarding, refer the matter to the Local Authority Designated Officer (LADO)

The whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue. If the Investigating Officer needs to talk to you, you are permitted to be accompanied by a trade union or professional association representative or a fellow member of staff not involved in the area of work to which the concern relates.

The target is to complete the inquiry within 15 working days from the date of the initial written response, although the enquiry may extend beyond this timescale

The Inquiry Report:

Following completion of the inquiry process, the Investigating Officer will make a written report and, if necessary, action will be taken. The whistleblower will also be notified of the outcome. If the investigation was carried out by a person other than the Head Teacher or Chair of Governors, the written report must be submitted to the Head Teacher or Chair to determine what further action (if any) is required.

When considering further actions, the Head and Chair must act on any recommendations made in the report. If the Head and Chair cannot agree on further actions, a panel of three governors (excluding the Head and Chair) will be convened to consider the report and agreed actions.

Following completion of the investigation, and any actions arising from the investigation, a copy of the report (anonymised) will be made available to all governors.

Anonymous Allegations:

You are encouraged to put your name to your allegation whenever possible. Concerns expressed anonymously are much less powerful, but will be considered at the discretion of the academy.

In exercising this discretion the factors to be taken into account will include:-

- (a) The seriousness of the issues raised
- (b) The credibility of the concern
- (c) The likelihood of confirming the allegation from attributable sources

If you do raise a concern anonymously and it is considered, then it will not be possible for you to be contacted, for instance to inform you of the outcome of your concern or to discuss any aspect of your concern.

How to Raise a Concern - Externally

This policy is intended to provide you with an avenue within the academy to raise concerns. Whilst we hope this policy gives you the reassurance you need to raise such matters internally, we would rather you raised a matter externally than not at all, provided you are acting in good faith and you have evidence to back up your concern.

Whistle blowing to an external source without first going through the internal procedure, is inadvisable however, without compelling reasons. In particular, this means being careful about what is said to the media.

Compelling reasons could be the involvement of the senior leaders, serious, health and safety issues or possible discrimination. The external sources which could be used are:

- i Department for Education
- ii Member of Parliament
- iii National Audit Office
- iv Health and Safety Executive.
- v Police
- vi Trade union
- vii Local Citizens Advice Bureau
- viii Relevant professional body or regulatory organisation
- ix HM Revenue & Customs
- x the Environment Agency.

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

Thus, you are completely at liberty to raise any concern externally at any time with any of the external agencies set out in **Appendix "C"**.

Taking the Matter Further:

If no action is to be taken and/or you are not satisfied with the way the matter has been dealt with, you can make a complaint under the Academy's Complaints Policy or raise your concerns with other organisations e.g. LA, DfE, Children's Commissioner for England, Public Services Ombudsman or Public Concern at Work.

This policy has been reviewed and agreed by the Governing Board, and is due for review in September 2021

Appendix A

LIST OF RECOGNISED TRADE UNIONS	CONTACT ADDRESS
G.M.B. (Southern Region),	Cooper House, 205 Hook Road, Chessington, Surrey KT9 1EA (Tel 0300 333 0303)
Unite (TGWU/Amicus)	Unite House, 128 Theobalds Road, Holborn, London WC1X 8TN (Tel 0800 709 007)
UNISON (South East Region)	Unison House, 8 Church Street, READING, RG1 2SB. (Tel: 0870 770 1112)
N.E.U. (Formerly N.U.T & A.T.L)	Hamilton House, Mabledon Place, London, WC1H 9BD (Tel: 0345 811 8111)
N.A.S.U.W.T.	South East Regional Centre Milestone House Portsmouth Road Woking Surrey GU23 7JZ (Tel: 01483 226130)
N.A.H.T.	1 Heath Square Boltro Road Haywards Heath West Sussex RH16 1BL (Tel: 0300 30 30 333)
A.E.P.(Assoc. of Edu of Psychologists)	26 The Avenue Durham DU1 4ED (Tel. 0191 384 9512)
ASCL	Wexham School Norway Drive Slough SI2 5QP (Tel. 01753 526797)

APPENDIX "B"

ILLUSTRATIVE LIST OF MALPRACTICE, ABUSE OR WRONGDOING

1. Any unlawful act, whether criminal (e.g. theft) or a breach of the civil law (e.g. slander or libel)
2. Maladministration (e.g. unjustified delay, incompetence, neglect advice)
3. Breach of any statutory Code of Practice (e.g. National Code of Local Government Conduct)
4. Health and safety risks, including risks to the public as well as other employees (e.g. faulty electrical equipment)
5. Abuse of children and vulnerable adults (e.g. through physical, sexual, psychological or financial abuse, exploitation or neglect)
6. Damage to the environment (e.g. pollution)
7. The unauthorised use of public funds (e.g. expenditure for improper purpose)
8. Fraud and corruption (e.g. housing benefit fraud, to solicit or receive any gift/reward as a bribe)

9. Breach of the Member or Employee Code of Conduct
10. Abuse of power (e.g. bullying/harassment)
11. Other unethical conduct

APPENDIX "C"

LIST OF EXTERNAL BODIES

NAME & ADDRESS	AREA OF CONCERN
Relationship Manager and District Auditor The Audit Commission North Wing, Southern House, Sparrowgrove, Otterbourne Winchester Hampshire SO21 2RU (Tel 01962 704600)	Financial Probity
Local Government Ombudsman The Commission for Local Administration in England The Oaks, No. 2 Westwood Way Westwood Business Park COVENTRY, CV4 8JB. (Tel. No. -024 7682 0000)	Maladministration - causing injustice to a member of the public.
Surrey Police Sandy Lane Guildford, GU3 1HG Tel: 101 or 01483 571212 or CRIMESTOPPERS Tel. (0800) -555111	Breach of the Criminal Law/ Fraud and Public Sector Corruption
The Health & Safety Executive The Council Offices Station Road East Oxted Surrey RH8 0BT	Health & Safety dangers.
The Environment Agency Thames Regional Office Kings Meadow House Kings Meadow Road Reading, RG1 8DQ. (Tel : General Enquiries : 08708 506506, Hazardous Waste Registration : 08708 502 858, Agricultural Waste Registration : 0845 6033113, Floodline : 0845 988 1188, Incident Hotline : 0800 807060)	Environmental dangers.