



REPORTING CONCERNS AT WORK: WHISTLEBLOWING POLICY

Purpose

To protect pupils and other staff by colleagues within the Trust accepting the duty and owning the right to disclose concerns about systems, processes and other people.

Aims

- to encourage employees to raise serious concerns within the academy, rather than ignoring a problem or “whistle blowing” outside.
- to ensure staff feel that they can raise concerns without fear of victimisation, discrimination or disadvantage
- provide avenues for staff to raise concerns
- ensure staff raising concerns receive feedback on any action taken
- provide guidance to staff on how to take matters further if they are not satisfied
- for the Trust to have robust procedures that will encourage and enable staff to report any areas of concern
- to ensure all staff are treated fairly and equally irrespective of position within the academy

Roles and Responsibilities

- all staff have a personal responsibility for themselves and their colleagues in protecting pupils
- Line Managers should listen to all concerns raised by their staff and report to senior staff as appropriate
- individual staff and their Line Managers should liaise with the Designated Child Protection Officer, concerning any issues raised concerning pupils
- any concerns solely relating to the staff should be raised with the Headteacher/ Head of School for teaching staff or the Director of Finance and Resources for non-teaching staff
- any concerns relating to financial malpractice should be raised with the Chief Executive Officer, Headteacher/ Head of School or the Responsible Officer
- The Chair of the Governing Body or Chair of the Trust should be contacted if the concern relates to the Chief Executive Officer, Director of Finance and Resources or a Headteacher/ Head of School

Ratified: September 2016

Due for review: September 2020

Committee: Trust Board and Local Governing Bodies

APPENDIX

Procedure

How to Report Concerns at Work (Whistle-blowing)

If a member of staff has any concerns they should take the following actions:

1. Try to discuss your concerns with your immediate line manager or supervisor
2. If they consider this an inappropriate person due to the nature of their concerns, the seriousness and sensitivity of the issues, they should approach one of the following, as appropriate:
 - Headteacher/ Head of School
 - Member of the Leadership Group
3. All concerns relating to financial malpractice should be raised directly with the Chief Executive Officer, Headteacher/ Head of School or the Responsible Officer

However, if this does not resolve the situation the member of staff has the right to contact the Chair of the Local Governing Body and ultimately the Chair of the Trust Board

How to make the disclosure

This should, preferably, be made in writing and include:

- background and history of the concern;
- relevant dates;
- the reason why the situation gives particular cause for concern.

Although the member of staff is not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for concern.

When to make the disclosure

Concerns should be raised as early as possible, as

- this will make it easier to take action, and
- enable any problems to be resolved quickly.

However it is recognised that some bad practices can develop over a long period of time, delaying the opportunity for disclosure, or could be discovered after they have become well-established.

There is no definite time limit on raising concerns; whether an issue can viably be dealt with after a long period of time will depend on the circumstances.

Staff may wish to discuss their concerns with a colleague first and may find it easier to raise the matter if there are two (or more) people who have had the same experience or concerns.

However, they should be prepared to give their own individual account during the investigation process.

Staff may be accompanied by a trade union representative or colleague during any meetings or interviews in connection with the concerns you have raised.

How the Trust/ Academy will respond

1. BET academies will always respond to concerns and it is likely there will be an investigation by senior figures within the organisation.
2. Further courses of action will vary, depending on the issue, but could include:
 - using the Academy's disciplinary process;
 - investigation by external auditors;
 - referral to the Police.
3. When deciding on whether an investigation is appropriate, and what form this should take, the academy will consider public interest as an overriding principle.
4. Within 10 working days of the concern being raised, the officer receiving the disclosure will write to the member of staff to:
 - acknowledge that the concern has been received;
 - indicate how it is proposed that the matter will be dealt with (i.e. whether further investigations will take place, and what form these will take);
 - indicate whether any initial enquiries have been made;
 - give an estimate of how long it will take to provide a final response;
 - supply information on staff support mechanisms.
5. The amount of contact between the staff considering the issue and the member of staff who raised the issue 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 the person making the disclosure, ensuring that confidentiality is maintained.
6. The Trust/ Academy accepts that the staff member making a disclosure needs to be assured that the matter has been properly addressed.
7. Subject to legal constraints, staff who have raised a concern will always be informed of the outcome of the investigation.

Managers' Responsibilities:

1. If a member of staff considers a concern is serious enough to report it to their Line Manager, the Line Manager must support them by enabling them to progress their concern.
2. Most concerns can be resolved simply and effectively within the section, team or work area by discussing the issue
3. Within 10 working days of the concern being raised the manager receiving the disclosure should write to the member of staff who raised the concern to:
 - acknowledge that the concern has been received
 - indicate how it is proposed that the matter will be dealt with
 - if a investigation is to take place, what form it will take
 - indicate whether any initial enquiries have been made
 - give an estimate of how long it will take to provide a final response
 - supply Information on staff support mechanisms
4. On considering the facts the manager will need to decide if this is the correct approach to take or if it would be more appropriate to follow another procedure.
5. He/she must ensure that there is no harassment, bullying or victimisation (including informal or subtle pressures) among staff during the process:
 - all information must be kept confidential
 - any additional concerns should be reported immediately to a senior manager

Support for staff

The Trust/ Academy will not tolerate any harassment, bullying or victimisation (including informal or subtle pressures) and will take appropriate action to protect staff who raise a concern in good faith.

- the Academy will take steps to minimise any difficulties which a member of staff may experience as a result of raising a concern.
- if staff are required to give evidence in criminal or disciplinary proceedings the Academy will arrange for advice and support to be provided.
- the Academy will also consider practical issues such as travel costs and the implications of spending time away from the workplace.

Other procedures in progress:

Investigations into allegations of potential malpractice will not influence, or be influenced by, any disciplinary or redundancy procedures that a member of staff may already be subject to, however, any allegations of bad practice within the disciplinary process itself will only be dealt with through that procedure, i.e. a disciplinary appeal.

Anonymous disclosures:

Wherever possible, staff are encouraged to put their name to an allegation, as concerns expressed anonymously can be less effective and more difficult to investigate properly.

- anonymous disclosures will be considered by the Academy, but whether further action is taken will depend on the seriousness of the issues raised and the likelihood of confirming the allegations from attributable sources.

Unconfirmed allegations

If a member of staff makes an allegation in good faith but it is not confirmed by the subsequent investigation, no action will be taken against them. However if an allegation is made maliciously or for personal gain, disciplinary action may be taken against the individual.

Review frequency: 4 years

Review date: July 2021

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