



WOODFIELD ACADEMY

WHISTLEBLOWING POLICY

Ratified on 13th July 2021

Review annually or earlier if required.

The term 'Governing Body' will also include Board of Trustees or board of Directors.

The term 'Head Teacher' will also include Head of School, Executive Head Teacher/Principal or Principal.

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1. Introduction

- 1.1 The Governing Body at Woodfield Academy are committed to the highest possible standards of honesty and integrity, and we expect all staff to maintain these standards in accordance with our Code of Conduct. This policy does not form part of any employee's contract of employment and it may be amended at any time.
- 1.2 The Governing Body is responsible for ensuring the operation of this policy with regard to matters relating to the school. The Governing Body will work in partnership with the Academy in dealing with concerns about malpractice and will jointly act to investigate them where appropriate.
- 1.3 All organisations face the risk of things going wrong from time to time, or of (unknowingly) harbouring illegal or unethical conduct. A culture of openness, transparency and accountability is essential in order to prevent such situations occurring or to address them when they do occur.
- 1.4 Employees are often the first to realise that there may be something wrong within the operations of the Academy. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or the Academy. They may also fear harassment or victimisation. There may be cases where there is just a *suspicion* of malpractice.
- 1.5 Workers should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of. (See 3.2)
- 1.6 The procedure aims to outline protocol for such circumstances of disclosure and applies to anyone working for or on behalf of the school to include employed staff, including the Head Teacher. It also applies to agency staff, trainee teachers, casual staff, governors, contractors and their staff and other individuals providing services / support to the Academy and to volunteers to the school (collectively referred to as employees in this policy).
- 1.7 The whistleblowing policy is intended to encourage and enable employees, to raise concerns within the Academy rather than overlooking the problem.
- 1.8 The procedures contained in this policy are in addition to the complaints process and any other statutory reporting procedure that applies.
- 1.9 It should be recognised that public disclosure may be justified at some point but this should not happen before the Academy has had the opportunity to investigate the concern. Premature or unnecessary publicity may damage the Academy's reputation, impede proper investigations or be harmful to individuals.

2. Scope and purpose

- 2.1 The aims of this policy are:
 - (a) To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
 - (b) To provide staff with guidance on how to raise concerns.

To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

3. What is whistleblowing?

3.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. The law provides protection for workers who raise legitimate concerns about specified matters or "qualifying disclosures". A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that wrongdoing or dangers at work has occurred.

3.2 Types of disclosure

- (a) Criminal activity;
- (b) Miscarriages of justice;
- (c) Danger to health and safety;
- (d) Damage to the environment;
- (e) Failure to comply with any legal or professional obligation or regulatory requirements;
- (f) Bribery;
- (g) Financial fraud or mismanagement;
- (h) Negligence;
- (i) Breach of our internal policies and procedures (including our Code of Conduct);
- (j) Conduct likely to damage our reputation;
- (k) Unauthorised disclosure of confidential information;
- (l) Sexual, physical or financial abuse of students;
- (m) Other unethical behaviour;
- (n) The deliberate concealment of any of the above matters.

3.3 A whistle-blower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistle-blowing concern) you should report it under the terms of this policy.

3.4 This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work.

3.5 If you are uncertain whether something is within the scope of this policy you should seek advice from a member of the Academy's leadership team.

4. Raising a whistle-blowing concern

4.1 If possible, you should approach your line manager, provided the concern is not linked to him / her. It is preferable for concerns to be raised in writing and where this is the case, the following details are requested. If you feel it is a minor matter that can be resolved quickly and effectively, please do so but be aware that you may be requested to put the concern in writing.

4.2 The following information is requested;

- Background information and history including details as to why you are concerned
- Whether the issue has already been reported to management and the outcome of this.
- Whether you wish your name to remain confidential.
- Whether you want feedback.
- The names and jobs of any other employees who may support your claim.

Should you wish to obtain independent advice in relation to a potential whistle-blowing report then Public Concern at Work operate a confidential helpline 0207 404

6609. Further advice and guidance can also be found on their website at www.pcaaw.co.uk

4.3 Where the matter is more serious, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, or they are the subject of the complaint, then you can raise the matter with:

(a) Headteacher Mr Neil Straw - This is the member of the senior team who is responsible for managing whistle-blowing report.

(b) The Chair of the Board of Directors.

4.4 Contact details are set out at the end of this policy.

4.5 You may ask your Trade Union or professional association to raise a matter on your behalf or advise you on how to articulate the case yourself. In this case, if you wish, you can remain anonymous when the concern is raised, but you may have to be involved personally if the matter goes further. You may also have your Trade Union, professional associate or a friend at any meeting or interview.

4.6 Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

5. Harassment or Victimisation

5.1 A person may be put off raising a concern because they are worried about reprisals. If you raise a concern in good faith and genuinely believe it to be well founded, you should have nothing to fear. You will be doing your duty to the Academy and to the public. The Academy will not tolerate any harassment or victimisation (including covert pressure) and will do all it can to protect the individual.

5.2 You will not be penalised in any way, where you make an allegation in good faith but it is not confirmed after it has been investigated. A concern that is raised frivolously, maliciously or for personal gain may result in disciplinary action.

5.3 An instruction to cover up wrong-doing is in itself a disciplinary matter. If told not to raise or pursue any concerns, even by a person in authority, you should not agree to remain silent. You should report the matter in accordance with this policy.

6. Confidentiality

6.1 We hope that staff will feel able to voice whistle-blowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you. This cannot, however, be guaranteed as there are certain circumstances where the name of the whistle-blower may be made known. For example:

- The report is found to be clearly false or malicious, or
- Disclosure is ordered by the courts.
- A formal statement is required as part of a police investigation.

6.2 We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistle-blowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the other contact points listed in section 13 and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Public Concern at Work, the independent whistle-blowing

charity, who offers a confidential helpline. Their contact details are given at the end of this policy.

6.3 Where we receive anonymous complaints we will make a determination about whether to investigate based on:

- (a) the seriousness of the issue raised
- (b) the credibility of the concern; and
- (c) the likelihood of confirming the allegation from other sources.

6.4 We will keep a central record of disclosures made under the whistle-blowing policy.

7. Anonymous Allegations

7.1 This policy encourages you to put your name to your allegation wherever possible and actively discourages anonymous reports. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the school.

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

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

7.3 Anonymous reports also raise a specific problem with regard to the legal requirement that personal data should only be collected fairly.

7.4 In addition, people making anonymous reports are not covered by the safeguards put in place to protect named whistle-blowers.

8. External disclosures

8.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrong-doing in the workplace. In most cases you should not find it necessary to alert anyone externally.

8.2 The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. Public Concern at Work holds a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

8.3 Whistle-blowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a contractor, supplier or service provider. The law allows you to raise a concern with a third party, where you reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, we encourage you to report such concerns internally first. You should contact your line manager or one of the other individuals set out in paragraph 3.2 for guidance.

9. Investigation and outcome

9.1 It is preferable for concerns to be raised in writing and where this is the case the following details are requested, see 4.2.

9.2 Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment and how we propose to deal with the matter. An initial appointment will be set; you

may be required to attend additional meetings in order to provide further information.

- 9.3 In some cases we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) will collate findings on the matter and may make recommendations for change to enable us to minimise the risk of future wrongdoing. This will be sent to the Head Teacher and/or Governing Body for action.
- 9.4 We will aim to keep you informed of the progress of the investigation, its likely timescale and outcome. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
- 9.5 The overriding principle will be the public interest. If this first testing stage shows that the concern should be followed, there will either be a special examination or another procedure will be used, if appropriate. Examples of special procedures are the discipline procedure, the harassment procedure or child protection procedure. It may be necessary to involve other agencies, e.g. the police or external auditors. Any urgent action will be taken before the investigation starts. It may be possible of course, to sort out the concern without a detailed investigation.
- 9.6 If we conclude that a whistle blower has made false allegations maliciously, or with a view to personal gain, the whistle-blower may be subject to disciplinary action.
- 9.7 While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy you can help us to achieve this.
- 9.8 We will comply with GDPR requirements in terms of any records made and kept.
- 9.9 Whilst it is possible to keep the name of a whistle-blower confidential, it is not always possible to prevent others from trying, often successfully, to work the source of the report. This may lead to speculation and an unpleasant atmosphere that could have been avoided by making an open disclosure.

10. If you are not satisfied with the outcome

- 10.1 This procedure is meant to give everyone an effective way to raise a concern and if possible, to resolve it internally. However, if you are still unhappy after using the

procedure and getting a final response, you are entitled to consider taking your concern to any of the organisations below.

- The school's external auditors.
- Your Trade Union / Professional Association.
- A Citizen's Advice Bureau.
- A relevant professional or regulatory body e.g. The TDA.
- A relevant voluntary organisation.
- The police.

10.2 If you raise the matter outside of the organisation, you must also take into account the rules about disclosing confidential information (for employees, see Section 12 of the Code of Conduct).

11. Protection and support for whistle-blowers.

11.1 Staff must not suffer any detrimental treatment as a result of raising a genuine concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform one of the contact people in paragraph 3.2 immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.

12. Review of policy

12.1 This policy is reviewed every year by Woodfield Academy in consultation with the Governing Body. The application and outcomes relating to this policy to ensure it is working effectively will be regularly maintained.

13. Contacts

Whistle-blowing Officer	Neil Straw - Headteacher Telephone: 07534113082 Email: nstraw@woodfield-academy.org.uk
Chair of the Board of Directors	Tracy Coward Telephone: 07909 913162 Email: tracy.coward@outlook.com
Academy's external auditors	Randall Payne Telephone: 01242 776000 Email: info@randall-payne.co.uk
Public Concern at Work (Independent whistleblowing charity)	For whistleblowing advice call: 020 3117 2520 Protect Advice line: E-mail: whistle@protect-advice.org.uk https://protect-advice.org.uk

It is stressed that this list is not exhaustive and you are free to contact any organisation that you feel will be able to deal with your concerns. These may include your solicitor or any other regulatory bodies. You are encouraged to take further advice before reporting an issue to a body other than those specified to ensure that you are making a protected disclosure. You will be protected under the Public Interest Disclosure Act 1988 if you raise your concerns with any of the above, provided that you make the disclosure in good faith, you reasonably believe the information disclosed to be substantially true and that you do not make the disclosure for personal gain.