

WHISTLEBLOWING POLICY

CONTENTS

	page
1 Introduction	2
2 The Policy	2
3 Safeguards	3
4 How to raise a concern	3
5 How the academy will respond	4
6 Taking the issue further	4
7 Management of the policy	5

1 Introduction

- 1.1 The governing body of Leighton Academy is committed to maintaining the highest standards of openness, probity and accountability.
- 1.2 In support of this commitment, employees with serious concerns about the conduct of affairs at the academy are encouraged to come forward and voice those concerns. This extends to concerns about the activities of staff, governors and external organisations in their dealings with the academy.
- 1.3 This policy:
 - 1.3.1 provides the basis on which employees can raise any concerns they may have, and receive feedback on action taken;
 - 1.3.2 allows employees to take the matter further if they are dissatisfied with the academy's response; and
 - 1.3.3 provides protection from reprisals or victimisation for 'whistleblowing' in good faith.

2 The Policy

- 2.1 This policy is intended to cover those concerns that fall outside the scope of individual or personal grievances. (Employees wishing to raise grievances about their own employment should address this separately using the procedure contained in the academy's grievance policy.)
- 2.2 The concern may be about:
 - 2.2.1 an unlawful act, either criminal or a breach of civil law;
 - 2.2.2 maladministration (as defined by the Local Government Ombudsman);
 - 2.2.3 a breach of, or failure to comply with, financial regulations;
 - 2.2.4 any failure to comply with appropriate professional standards;
 - 2.2.5 fraud, corruption or dishonesty;
 - 2.2.6 actions likely to cause physical danger to any person or give rise to significant damage of property;
 - 2.2.7 loss of income to the academy;
 - 2.2.8 abuse of power or the use of the academy's authority for any unauthorised or ulterior purpose;
 - 2.2.9 discrimination in employment or the provision of education, or
 - 2.2.10 any other matter that cannot be raised by any other procedure particularly in relation to safeguarding children.
- 2.3 This policy applies to all employees. It does not cover members of the public and any reports received from a member of the public will be dealt with under the Complaints Policy.

3 Safeguards

3.1 Harassment or victimisation

The governing body recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisals from those responsible for the malpractice. The academy will not tolerate harassment or victimisation, nor subject a worker to detriment, such as –

Failure to promote; denial of training; closer monitoring; ostracism; blocking access to resources; unrequested re-assignment or re-location; demotion; suspension; disciplinary sanction; bullying or harassment; victimisation; dismissal; failure to provide an appropriate reference; failing to investigate a subsequent concern

We will take all possible measures to protect employees who raise concerns in good faith.

3.2 Open Disclosures

The best culture is one where individuals have sufficient faith in the whistleblowing arrangements and culture of the school/academy to allow them the confidence to make open disclosures. This is where those involved know what the issues are along with who raised them.

This is the aim for Leighton Academy and it is hoped that any individual with a whistleblowing concern will feel able to raise their issues openly.

This openness makes it easier to assess the report, gather additional information and carry out an investigation.

It also allows any hidden agendas to be identified, helps to prevent witch hunts and reduces the risk of mistrust and paranoia developing within the area being investigated.

3.3 Confidentiality

It is recognised that some individuals may not feel that they can make such a report. Where this is the case the academy will seek to protect the identity of employees who raise concerns and do not want their name to be disclosed. It must be appreciated, however, that the investigation may reveal the source of the information, and statements made by the employees who raised the issue may be required as part of the evidence.

3.4 The academy encourages employees to put their name to allegations made. Concerns expressed anonymously are much less powerful, but they will be considered at the discretion of the academy. In exercising this discretion, the factors to be taken account of will include:

3.4.1 the seriousness of the issue raised;

3.4.2 the credibility of the concern, and

3.4.3 the likelihood of confirming the allegation from attributable sources.

3.5 Untrue allegations

If an allegation is made in good faith, but is not confirmed by the investigation, no action will be taken against the employee. However, if an employee makes an

allegation that is malicious or vexatious, subsequent disciplinary action against the employee is likely under the academy's disciplinary procedure.

4 How to raise a concern

4.3 The earlier employees express their concern the easier it is to take action.

4.4 As a first step an employee should raise concerns with the principal. If the concern is involving the principal, staff should contact the chair of governors through the clerk – Amanda Arnold. Concerns are better raised in writing. This should set out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee is concerned about the situation. An employee who does not feel able to put their concerns in writing can telephone or meet the principal or the members of the governing body identified in 4.3 above. In both cases the following details will be required -

- Your name and contact details
- 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 concern

4.5 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

4.6 Should you wish to obtain independent advice in relation to a potential whistleblowing report then Public Concern at Work operate a confidential helpline – 0207 404 6609. Further advice and guidance can also be found on their website – www.pcaw.co.uk. You may wish to consider discussing your concern with a colleague or your trade union first. Employees may invite their trade union or professional association to raise the matter in conjunction with them.

5 How the Academy will respond

5.1 The action taken by the academy will depend on the nature of the concern. The matters raised may for example:

5.1.1 be investigated internally;

5.1.2 be referred to the police.

5.1.3 be referred to the Education Funding Agency and the Regional Schools Commissioner for the West Midlands Region

5.2 In order to protect individuals and the academy, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Some concerns may be resolved by agreed action without the need for investigation.

5.3 Within two weeks of a concern being received, the chair of governors or appropriate member of academy staff will write to the employee who raised the issue:

5.3.1 acknowledging that the concern has been raised;

- 5.3.2 indicating how it proposes to deal with the matter;
- 5.3.3 where possible, giving an estimate of how long it will take to provide a final response; and
- 5.3.4 telling the employee whether further investigations will take place and if not, why not.
- 5.4 The amount of contact between the investigators considering the issue and the employee who has 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 employee.
- 5.5 When any meeting is arranged with the employee, they will be given the right to be accompanied by a representative or fellow worker who is not involved in the area of work to which the concern relates.
- 5.6 The governing body accepts that employees need to be assured that the matter has been properly addressed. Therefore, subject to legal or contractual constraints, employees will receive information about the outcomes of any investigations.

6 Taking the issue further

- 6.1 This policy is intended to provide employees with an avenue to raise relevant concerns within the academy. It is hoped that employees will be satisfied with the action taken as a result. If an employee is not satisfied and feels it is right to take the matter outside the academy, the following are possible contact points, some or all of which may be appropriate:
 - 6.1.1 relevant professional bodies or regulatory organisations;
 - 6.1.2 the local authority;
 - 6.1.3 the police;
 - 6.1.4 the charity Public Concern At Work (telephone 020 7404 6609).
- 6.2 If an employee does take the matter outside of the academy, they must ensure that they do not disclose otherwise confidential information.

7 Management of policy.

- 7.1 The governing body has overall responsibility for the maintenance and operation of this policy.
- 7.2 The academy will maintain a record of concerns raised and the outcomes and will report as necessary to the governing body.

This policy should be read in conjunction with –

- ALLEGATIONS AGAINST STAFF (Cheshire East Local Safeguarding Children’s Board)
- The ACADEMY’S SAFEGUARDING POLICY