

WHISTLEBLOWING POLICY

What is a whistle-blower?

A whistle-blower is a member of staff who reports certain types of wrongdoing. This will usually be something which has been seen in school - though not always.

The disclosure of wrongdoing must be in the public interest. This means it must affect others, e.g. the general public. As a whistle-blower you are protected by law. Although we obviously hope that it will never be necessary, should you ever feel you are obliged to “blow the whistle” you will not – indeed under law *cannot* – be [treated unfairly or lose your job](#) because you have exercised your rights under this legislation.

You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future.

Complaints that count as whistleblowing

Staff members are protected by law if they report any of the following:

- a criminal offence, e.g. fraud
- someone’s health and safety in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the school is breaking the law,
- you believe someone is covering up wrongdoing

Complaints that don’t count as whistleblowing

Personal grievances (e.g. bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest.

You should report these under the school’s Grievance Procedure.

Raising a whistleblowing concern

We would hope that in most cases staff will be able to raise any concerns with a senior member of staff, e.g. the Head Teacher by either speaking to him or her in person or putting the matter in writing if they prefer. They may be able to agree to a way of resolving a concern quickly and effectively.

However, where the matter is more serious, or you feel that your first attempt has not been effective, you should contact the Board of Directors.

Following a notification of a concern, the Head Teacher will arrange a meeting with the whistle-blower as soon as practicable to discuss the concern. Sufficient details will be recorded at this stage to enable the matter to be thoroughly investigated. As a minimum the Head Teacher will record the name of the employee but also indicate whether the individual wishes his or her identity to remain confidential, if possible, and the nature of the concern. In some cases it will not be possible to maintain confidentiality and this will be explained to the member of staff. In such instances the member of staff will have the choice of either withdrawing or agreeing to his/her identity becoming known to enable the concern to be effectively dealt with.

Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

The school will take notes and produce a written summary of the concern raised and provide the whistle-blower with a copy as soon as practicable after the meeting. The school will also aim to give the whistle-blower an indication of how it proposes to deal with the matter.

Confidentiality

We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if a member of staff wants to raise his or her concern confidentially, St Alban's Classical Academy will endeavour to keep his or her identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of staff's concern to know the whistle-blower's identity, the school will discuss this with the member of staff first.

The school does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the school cannot obtain further information. It is also more difficult to establish whether any allegations are credible and have been made in good faith. Whistle-blowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above 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 whistleblowing charity, who offer a confidential helpline. Their contact details are:

Public Concern at Work (Independent whistleblowing charity)

Helpline: 020 7404 6609

E-mail: whistle@pcaw.co.uk

Website: www.pcaw.co.uk

Concerns about Members of the Board of Directors

If a concern surrounding a member of the Board of Directors is received then this will be treated in the same way as any other concern. The concern will be raised by the Head Teacher with the Managing Director who will decide how it should be dealt with.

If the concern is against the Managing Director or Deputy Director, then clearly this process cannot be followed. In such circumstances, the concern will be taken directly to the Chair of the Advisory Board who will decide in consultation with the Advisory Board and Members of Staff how it should be dealt with.

External disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating, and remedying any wrongdoing within school. In most cases staff should not find it necessary to alert anyone externally. We strongly encourage staff to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern.

Whistleblowing concerns usually relate to the conduct of school staff, but they may sometimes relate to the actions of a third party, such as a service provider. The law allows staff to raise a concern in good faith with a third party, where the member of staff reasonably believes it relates mainly to their actions or something that is legally their responsibility. However, staff are encouraged to report such concerns internally first.

Investigation and outcome

Once a member of staff has raised a concern, the school will carry out an initial assessment to determine the scope of any investigation. In most cases a panel of three will investigate any issue. The school will inform the whistle-blower of the outcome of its assessment.

The school will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the school from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

If the school concludes that a whistle-blower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistle-blower will be subject to disciplinary action.

There are no rights of appeal against any decisions taken under this procedure. However, an employee or the Head Teacher will have the right to refer any particular case to the Managing Director for review.

Protection and support for whistle-blowers

It is understandable that whistle-blowers are sometimes worried about possible repercussions. The school will seek to follow its core value of transparency in all it does and therefore will encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

As described above, staff will not and cannot be treated unfairly as a result of having raised a concern under this Policy.