



Harton
Academy



Whistleblowing Policy

February 2023

To be reviewed in February 2024

1 Introduction

Whistleblowing legislation was introduced by the Public Interest Disclosure Act, 1998, to provide a mechanism for employees to be able to report concerns about criminal behaviour or malpractice, without fear of reprisal or dismissal.

This policy sets out the arrangements for employees of the Academy to be able to raise concerns where they feel unable to do so through normal management channels.

The Board of Directors and the Local Governing Body is committed to conducting its activities with openness and accountability, and expects all staff to maintain the highest standards in work, in line with our Code of Conduct.

2 Aims of the Policy

Colleagues are encouraged to report wrongdoing, or concerns about such, to their line manager, or within the normal management arrangements of the Academy, where this is possible. It is acknowledged that colleagues may not always feel this is possible. The aim of this policy is to :

- provide a clear process for staff to be able to report a concern and receive feedback on any action taken. This will include what happens next, if you are dissatisfied with the outcome ;
- provide reassurance that staff can raise genuine concerns in good faith, without fear of reprisals or victimisation.

3 What is covered by this policy ?

3.1 A 'whistleblower' is an employee or volunteer who has a reasonable belief that a certain type of wrongdoing has taken place, is taking place or might take place. Where the 'whistleblowing' takes place in the public interest and is being made in good faith, the individual is protected by law against being treated unfairly, or losing their job as a consequence of blowing the whistle.

3.2 The types of wrongdoing which are covered by law are :

- criminal offences
- miscarriages of justice
- danger to the health and safety of an individual
- damage to the environment
- breach of any legal obligation
- deliberately concealing information about any of the above

Additionally, there will be areas of activity which may be specific to a school, where there is a possibility of wrongdoing, about which an individual may have cause to consider making

a disclosure. This may include, but not be limited to, examination and/or assessment malpractice.

Not all concerns or complaints count as whistleblowing. They have to be in the public interest and cannot be for personal gain. As such a complaint about an individual's employment should be raised through the grievance procedure, and is unlikely to be a whistleblowing matter.

To be protected by this policy, and legislation, it will need to be demonstrated that :

- there is reasonable belief in the malpractice
- the disclosure is being made in the interests of the public
- you have brought the matter to the attention of the Academy (which can be through this policy and procedure).

4 How to raise a concern

4.1 The Academy would always encourage concerns to be raised with your line manager. Depending on the seriousness of the concern, or who might be involved, where you feel unable to do this, it should be raised it with :

- the Headteacher
- the Director or Governor with responsibility for whistleblowing
- the Chief Finance Officer

4.2 All concerns raised will be treated in the strictest of confidence.

4.3 Although you will not be required to prove an allegation, you will be required to demonstrate there are sufficient grounds for concern.

4.4 A disclosure can be made anonymously, however the Academy may not be able to take the claim further if sufficient information isn't provided. Further to this, feedback will not be able to be given on progress and action taken. Anonymous complaints will be considered at the discretion of the Academy. In exercising this discretion, the seriousness of the issues raised, the credibility of the concern and the likelihood of confirming the allegation with others, will be taken into account.

4.5 On raising a concern, you can request that your name remains confidential. If this is requested, we will make every effort to protect your identity. If you wish to keep your identity confidential in this way, you must tell us this at the outset.

4.4 The disclosure can be made verbally or in writing. A meeting will be convened to discuss the matter as soon as practicable. You will be asked to provide information to allow the concern to be investigated. You may bring a colleague or trade union representative to the meeting if you wish.

4.5 At the meeting, the Academy will listen to the concern, and may ask questions for clarification. At the meeting, or soon after, it will advise how it proposes to deal with the matter. This may be in person or in writing. The Academy may request that you do not discuss the concern with anyone else while the matter is under investigation.

4.6 If you report your concerns to the media, in most cases you will lose your whistleblowing protection rights.

5 If you aren't satisfied with the outcome

If you do not feel your concern has been dealt with appropriately, or you feel the wrongdoing is continuing, you can raise your concern with :

- a more senior person within the Multi-Academy Trust
- a prescribed person or body

Prescribed people, or bodies, are individuals or organisations who are listed by the legislation and will be responsible for specific areas or sectors. In relation to the Academy, these can include, but are not limited to :

- Ofsted
- Ofqual
- The Secretary of State for Education
- The Health and Safety Executive or the Local Authority.

Details of relevant organisations to contact can be found on the government website "Whistleblowing for Employees". ACAS, the whistleblowing charity Public Concern at Work or your trade union may be able to provide more guidance.

6 Untrue allegations

If an allegation is made in good faith and, through investigation, is considered to be untrue or unfounded, no action will be taken against the individual raising the issue. Where the allegation is considered to be vexatious or malicious, the Academy will consider taking action against the individual.

7 Safeguarding

The Academy has a number of staff to whom concerns of a safeguarding nature can be reported. If you feel you cannot report your concern to any of the team charged with child protection, you can report this to one of the people identified in 4.1, or to the Local Authority Designated Officer (LADO) if you feel this more appropriate.