



## WHISTLE BLOWING POLICY

Signed .....  
Chair of Directors

Signed .....  
Chief Executive Officer

Date .....



# Whistle Blowing Policy

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## Background

The United Kingdom public sector maintains high standards of openness, honesty, integrity and accountability. WISE Academies shares these standards and is committed to maintaining high standards in the conduct of all its affairs.

As part of this commitment WISE Academies is committed to combating any acts of impropriety wherever they may arise in relation to any of its activities or services. In achieving this aim, WISE Academies has put in place arrangements to ensure high standards are maintained and that any act of impropriety is prevented or is detected at an early stage.

WISE Academies realises, however, that, despite its best efforts, impropriety (e.g. unlawful conduct, financial malpractice, conducting activity which may present a danger to the public, employees or the environment) can be discovered by chance. It is often through the alertness of not only its workers but members of the public, those responsible for governance, other authorities or agencies, service users, partners or suppliers / contractors etc. that impropriety is detected. Consequently WISE Academies acknowledges the important role that these parties, including the local community, have to play in helping WISE Academies to maintain high standards and are keen to involve them in its arrangements for the detection of acts of impropriety.

## Aims and scope of this policy

This policy aims to:

- Provide avenues for a whistleblower to raise concerns and receive feedback on any action taken;
- Allow a whistleblower to take the matter further if they are dissatisfied with the response of the Academy Trust;

This policy covers concerns that fall outside the scope of other procedures. It is not intended as recourse against financial or business decisions made by WISE Academies. Nor is it an alternative to well-established disciplinary or grievance procedures. It may however overlap with other Academy policies for dealing with complaints and with Codes of Conduct.

Concerns raised under this Whistle blowing Policy should be about something that is, or may be;

- a criminal offence (e.g. fraud, corruption etc.) may have or has been committed;
- A breach of a legal obligation; or
- a miscarriage of justice has been or is likely to occur; or



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- In disregard of legislation governing health and safety at work; or
- Seeking undue favour over a contractual matter or a job application; or
- the Academy's procedures (e.g. Code of Conduct, Contract Procedure Rules, Financial Procedure Rules) has been or is being breached by members and / or employees; or
- Amounts to improper conduct or unauthorised use of public funds; or
- discrimination to any person, e.g. disability, race etc.; or
- A deliberate cover up of information tending to show any of the above.

(The list above is for guidance only and is not intended to be comprehensive)

### **Child Safeguarding Whistle blowing**

Reference should be made to the WISE Academies Child Protection Policy for advice on child safeguarding.

If a concern is raised which relates to a child protection issue, the CEO, relevant Headteacher or other representative of WISE Academies should urgently consult the Local Authority Designated Officer (LADO).

However, in relation to child protection issues, it is also open to the member of staff to make a direct referral to the LADO or to Social Services before raising their concern with the CEO, Headteacher or other WISE Academies representative. This may also be done where the CEO, Headteacher or other WISE Academies representative fails to do so after considering the whistle blowing allegation and the member of staff remains concerned about the situation

### **The Responsible Officer**

**The Chief Executive Officer has overall responsibility for the maintenance and operation of this policy. It is the CEO's duty to ensure that WISE Academies acts lawfully and will maintain a record of all concerns raised under this policy and the outcomes of any investigations.**

**The CEO will be the initial point of contact for all whistle blowing concerns unless stated otherwise.**

**If, however, the matter concerns the CEO personally then the Whistle Blower is advised to contact the Chair of the Trust.**



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### **Commitment**

WISE Academies is committed to the principle that where any person becomes aware of, or has concerns about, activity in WISE Academies which appears to fall below its high standards of honesty, integrity, openness and accountability, they should be reported promptly.

As part of this commitment WISE Academies acknowledges the need to encourage any person who believes that there may be something seriously wrong within WISE Academies or who may have concerns about any aspect of the Academy Trust's work to come forward and voice those concerns. WISE Academies is committed to creating and maintaining a culture whereby any individual who seeks to express concerns and suspicions may do so with confidence, without fear of repercussion or intimidation and in the knowledge that the information will be treated confidentially and will be investigated fully and rigorously.

WISE Academies is committed to establishing and maintaining effective reporting arrangements to ensure that, where an individual has serious concerns regarding the conduct of any aspect of the Trust's business, they can do so through a variety of avenues, promptly and in a straight forward way.

### **Awareness**

WISE Academies will seek to ensure that its policy and arrangements for Whistle Blowing are appropriately publicised.

### **Monitoring, Evaluation and Review**

This Policy will be reviewed regularly to ensure the Policy remains up to date and to ensure it remains effective. WISE Academies will also assess its implementation and effectiveness. The policy will be promoted and implemented throughout WISE Academies.



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## Arrangements for Employees

### Introduction

WISE Academies is committed to the highest possible standards of openness, honesty, integrity and accountability. As part of this commitment the Academy is keen that activity, which falls below these standards, is reported in order that it can be dealt with promptly. The Academy acknowledges that employees are often the first to realise that there may be something seriously wrong within their organisation and that the Academy needs to encourage employees and others with concerns about any aspect of the Academy's work to come forward and voice those concerns. Usually these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice or dangers to the public, other staff or the environment, it can be difficult to know what to do.

An employee may be worried about raising such issues or may want to keep the concerns to themselves, perhaps feeling it's none of their business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may also fear harassment or victimisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

WISE Academies has introduced this Whistle Blowing Policy to enable employees or others to raise concerns about such malpractice at an early stage and in the right way. We would rather that you raised the matter when it is just a concern rather than wait for proof. The Whistle blowing Policy is intended to encourage and enable you, as an employee, to raise serious concerns within the Academy rather than overlooking a problem or simply reporting it outside. It should be read in conjunction with the Code of Conduct for employees.

If something is troubling you, which you think we should know about, or look into, please use this policy. Don't ignore the concern. If, however, you have a grievance about your own personal position or employment, please use the appropriate Grievance Procedure - which you can obtain from your line manager or WISE Academies Head Office. This Whistle Blowing Policy is primarily for concerns where the interests of others or of the organisation itself are at risk.

### Aims

This policy aims to:

- encourage employees to feel confident in raising serious concerns;
- reassure workers that, when they raise any concerns in good faith and reasonably believe them to be true, i.e. "whistle blow", they will be protected from reprisals or victimisation;



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- provide avenues for a worker to raise concerns and receive feedback on any action taken;
- ensure that workers get a response to the concerns they have raised from the Academy and, if not satisfied, shows how they may take the matter further if they are dissatisfied with the response;

### Scope

This policy may be used by all employees. This includes permanent and temporary employees and agency workers.

It is not intended that this policy, and its associated procedures, be used to raise concerns which fall within the scope of other procedures where more appropriate procedures are available, for example:

- grievances;
- harassment

### Protection from Harassment or Victimisation

WISE Academies recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The academy will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. If you raise a genuine concern under this policy, you will not suffer any detriment in connection with your employment. Therefore, providing you are acting in good faith, it does not matter if you are mistaken.

However, this does not mean that, if you are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of your disclosure.

### Confidentiality

The employer will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent or unless instructed by a Tribunal or Court. If the situation arises where we are not able to resolve the concern without revealing your identity (e.g. a statement by you may be required as part of the evidence) we will discuss with you whether and how we can proceed.

### Anonymous Allegations

This policy strongly encourages you to put your name to your allegation. Concerns expressed anonymously will be much more difficult for us to look into or to protect your position or to give you feedback. Concerns raised anonymously are much less powerful and less likely to be effective, but they



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will be considered at the discretion of the employer.

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

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

### Untrue or Malicious Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you.

### How to Raise a Concern

For most general concerns, you should normally raise concerns with your immediate manager or the Headteacher.

This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice (for example, if you believe that management is involved).

Once you are satisfied that you need to raise an issue through the Whistle Blowing Process, you are advised to contact the CEO who is the responsible officer for dealing with Whistle Blowing allegations. Except, however, where the allegations are about the CEO the matter must be raised with the Chair of WISE Academies Trust.

Concerns are better raised in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation.

The earlier you express the concern, the easier it is to take action. You may also wish to involve your Trade Union representative at this stage.

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

You may also invite your trade union or professional association to raise a matter on your behalf.

### How the Academy will respond

The action taken by the employer will depend on the nature of the concern. The matters raised may:





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- be investigated internally;
  - be referred to the Police;
  - be referred to an External Auditor.
- 6.2 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. Concerns or allegations which fall within the scope of specific procedures (for example, child protection) will normally be referred for consideration under those procedures.
- 6.3 Some concerns may be resolved by agreed action without the need for investigation.
- 6.4 Within ten working days of a concern being received, your concern will be acknowledged and you will be told, in overall terms, how the matter will be dealt with, giving, where possible, an estimate of how long it will take to provide a final response; telling you whether any initial enquiries have been made; and • telling you whether further investigations will take place, and if not, why not.
- 6.5 The amount of contact between those investigating the issues and you, 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 you.
- 6.6 When any meeting is arranged, you have the right, if you so wish, to be accompanied by a Trade Union colleague, a work colleague, a professional association representative or a friend who is not involved in the area of work to which the concern relates.

### Independent Advice

- 7.1 If you are unsure whether to use this Policy or you want independent advice at any stage, you may contact: • if applicable, your union; • ACAS Helpline number: 0300 123 1100; • the independent charity Public Concern at Work on 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

### How the matter can be taken further

- 8.1 This policy is intended to provide you with an avenue to raise concerns within the Academy and to give you the reassurance you need to raise such matters internally. The Academy hopes you will be satisfied. If you are not, and if you feel it is right to take the matter outside the Academy, the following are possible contact points:
- the Education Funding Agency



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- the Police;
- the Information Commissioner (01625 545 700);
- Audit Commission Public Interest Disclosure line (0303 444 8346);

The list above is not exhaustive and other possible parties to contact may be:

- relevant professional bodies or regulatory organisations;
- your solicitor.

We would rather you raised a matter with the appropriate regulator or outside body than not at all. You may raise a concern with any of the above provided that:

- a) you make the disclosure in good faith;
- b) you reasonably believe that the information disclosed, and any allegation contained in it, are substantially true;
- c) you do not make the disclosure for the purposes of personal gain.

Again appropriate legal advice should be sought prior to raising a matter externally.

- 8.2 If you do take the matter outside the Academy, you need to ensure that you do not disclose confidential information (see WISE Academies Code of Conduct for Employees).