



## Whistleblowing Policy

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### Purpose

Ashby Hill Top Primary School is committed to the highest standards of openness, honesty and accountability. It encourages employees to raise promptly any serious concerns they may have about the activities of employees, Governors, or external organisations in relation to their dealings with the Academy. This policy:

- Enables employees to raise their concerns and to receive feedback about the outcome of any ensuing investigation but not the detail of the investigation nor any actions taken;
- Allows employees to take the matter further if they are dissatisfied with the response; and
- Protects employees from reprisals or victimisation for 'whistleblowing' made in good faith.

### Scope

This policy covers concerns that fall outside the scope of the Grievance Policy. The employee's concern may be about something that:

- Is potentially unlawful;
- Is against the Academy's policies;
- Amounts to improper conduct, bad practice, or potential fraud or corruption;
- Seems likely to cause damage or harm to a member of the public, the Academy or its staff;
- 'Covers up' an issue.

### Confidentiality



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The identity of employees who raise concerns will be protected as far as practicable. However, the investigation may, out of necessity in some instances, reveal the source of the information and statements made by the employee(s) who raised the issue may comprise part of the formal evidence.

Employees are encouraged to put their name to any allegations made. Concerns expressed anonymously will be considered at the discretion of the Academy, taking into account:

- The seriousness of the issues raised;
- The credibility of the concern;
- The likelihood of the allegation being substantiated; and
- Untrue allegations.

If an allegation is made in good faith, but is not upheld by the investigation, no action will be taken against the employee who raised the concern. However, employees who make malicious or vexatious allegations may be subject to disciplinary action.

## **Raising a Concern**

Employees should normally raise concerns with the Head Teacher. This will depend on the nature of the concern, the seriousness and sensitivity of the issue, and who is allegedly involved.

Employees who feel unable to approach the Head Teacher may contact a member of the Governing Body. Trade Union members may wish to contact their union representative for assistance or advice on raising an issue.

Concerns can be raised orally or in writing. It is important that the employee provides as much detail as possible (including specific names, dates and places where known).

Employees who raise an issue in good faith under this policy are protected by the Public Interest Disclosure Act 1998 from any repercussions on their present position or future career. The Act does not protect anyone who is acting maliciously, making false allegations or who is seeking personal gain.

Where concerns are of a serious nature, employees have the right to raise issues directly with the Police or other relevant agency as they see fit.

Where an employee is concerned that the Governing Body is acting or proposing to act unreasonably or has failed to discharge its duties, this can be raised with the Secretary of State for Education.



## Academy Response

The action taken will depend on the nature of the concern. For example, the matter may:

- Be investigated internally;
- Be referred to the Police;
- Be referred to the Academy's External Auditor; or
- Form the subject of an independent inquiry.

To protect individuals and the Academy, initial enquiries will be made to determine whether an investigation is appropriate and what form it should take. Allegations which fall within the scope of specific procedures (e.g. child protection or unlawful discrimination issues) will normally be dealt with under those procedures.

Some concerns may be resolved by agreed action without the need for investigation.

Within 10 working days of a concern being received, the person with whom the issue was raised will write to the employee:

- Acknowledging that the concern has been raised;
- Indicating how it is proposed to deal with the matter;
- Advising whether further investigations will take place and, if not, why not; and
- Confirming, where possible, an estimate of how long it will take to provide a final response.

If necessary, further information will be sought from the employee regarding the concern. The employee will have the right to be accompanied at any meetings by a Trade Union representative or work colleague.

## Outcome of Investigation

The employee will be informed about the outcome of any investigation but not the detail of the investigation or any action taken against another employee (e.g. disciplinary action).

If the employee is not satisfied with the outcome of the investigation and wishes to take the matter outside the Academy, they may contact:

- For safeguarding issues only, Leicestershire County Council's Allegations Manager (LADO) (Tel: 0116 232 3232);
- Their local Councillor (for employees who live in the area of the Academy);
- Relevant professional bodies or regulatory organisations;
- The Police;
- The whistleblowing charity, Public Concern at Work (Tel: 020 7404 6609);
- The Audit Commission (Tel: 0845 052 2646).



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When taking the matter outside of the Academy, the employee must ensure that they do not disclose confidential information which is not relevant to the issue.

### **Responsible Officer**

The Chair of Governors has overall responsibility for the maintenance and operation of this policy. He must maintain a record of concerns raised and their outcomes and will report, as necessary, to the Governing Body.