

King James I Academy

Whistle Blowing Policy

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Date approved by Governors/Academy:
Date to be reviewed:

December 2014
July 2016

INTRODUCTION

- 1.1 The School is committed to the provision of the highest quality services to the community it serves and to full accountability for those services. Whilst the School has in place rules, regulations, quality standards and procedures to ensure that the highest standards of conduct and commitment to service delivery are followed, irregularities, wrong-doing or serious failures in standards do sometimes occur. The School wants to identify and remove such malpractice in the performance of its services.
- 1.2 The greatest deterrent to malpractice or wrongdoing is the probability that it will be reported and investigated vigorously, that those who are responsible for it will be punished and that the matter will be promptly remedied. This Policy is therefore intended as a clear statement that any malpractice by members, employees or third parties (including contractors) reported to the School will be swiftly and thoroughly investigated. The School will also look at ways to ensure that such malpractice or wrongdoing can be prevented for the future.

AIMS AND SCOPE OF THE POLICY

- 2.1 This Policy provides all employees, agency workers, contractors including their staff and members of the Governing Body with
 - Avenues to raise concerns and receive feedback on any actions taken
 - Reassurances that they will be protected from reprisals or victimisation for whistleblowing in good faith
- 2.2 Set out below is a list, which is intended to illustrate the sorts of issues, which may be considered as malpractice or wrongdoing and can be legitimately raised under this Whistleblowing Policy:
 - (a) Any unlawful act, whether criminal or a breach of civil law, failure to comply with legal obligations or where a miscarriage of justice has occurred, is occurring or is likely to occur
 - (b) Maladministration
 - (c) Breach of any statutory Code of Practice
 - (d) Breach of, or failure to implement or comply with any policy determined by the school Governing Body
 - (e) Failure to comply with appropriate professional standards
 - (f) Corruption or fraud including obtaining money (eg grants) without entitlement
 - (g) Misuse of assets, including stores, equipment, vehicles, buildings, computer hardware and software
 - (h) Endangering the health and safety of any individual with actions, which are likely to cause physical danger, or to give rise to a risk of significant damage to property
 - (i) Failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income, to the school or would otherwise seriously prejudice the school;

- (j) Abuse of power, or the use of the school's powers and authority for any unauthorised or ulterior purpose
- (k) Unfair discrimination in the school's employment or services
- (l) Causing damage to the environment
- (m) Deliberately concealing information in relation to any of the items on this list

2.3 This Whistleblowing Policy is intended to supplement, rather than to replace, the existing resolving issues at work procedures whereby employees may already raise complaints or matters of genuine concern. It is therefore designed to provide a channel for those instances where the person reporting the matter feels that, for any reason, they cannot make use of those existing complaints procedures.

EMPLOYEE CO-OPERATION AND SAFEGUARDS

- 3.1 In many cases it is an employee of the school who is most likely to be in the best position to learn of any malpractice or wrongdoing within the school and to identify something, which falls below the standards, which the school and the community it serves are entitled to expect. The school expects the fullest co-operation of all its employees in securing the highest standards of service to the community it serves. This means that, where an employee of the school becomes aware of or suspects malpractice, the school will expect them to report these suspicions. Where an employee fails to report their suspicions, they become themselves implicated in the wrongdoing, and the school will treat failure by an employee to report such matters as a serious matter.
- 3.2 The school will respect the confidentiality of any whistleblowing complaint received, where the complainant requests that confidentiality. However, it must be appreciated that it will be easier to follow up and to verify complaints if the complainant is prepared to give his/her name, and unsupported anonymous complaints and allegations will have to be treated with caution.
- 3.3 Any reporting system will be of little effect if those who should use it are afraid that, as the result of making their report, they may experience recriminations, victimisation or harassment. The school will therefore not tolerate any attempt on the part of any employee or member to take reprisals against any person who has reported a serious and genuine concern. The school will treat any such recriminations, victimisation or harassment by any employee or member of the Governing Body as a serious matter. Individuals may also have statutory protection under the Public Interest Disclosure Act 1998, which aims to protect individuals who make certain disclosures of information in the public interest and who are then victimised in their employment.
- 3.4 The school is proud of its reputation for having the highest standards of probity. It will therefore ensure that the necessary resources are put into investigating any complaints, which it receives. As a consequence of this it will view very seriously any false or malicious allegations which it receives, and will regard the making of any deliberately malicious or vexatious allegations by any employee as a serious disciplinary offence.
- 3.5 The Whistleblowing Policy will be publicised to all staff, using appropriate media.

HOW TO RAISE A CONCERN

- 4.1 It is envisaged that a Line Manager will be the first point of contact in the vast majority of cases. It will be their responsibility to initially investigate all matters reported to them promptly in accordance with the procedure notes issued.

- 4.2 It is, however, appreciated that there may be times when an employee of the school feels unable to use the above procedure, for example when the Whistleblower feels that their Line Manager may be involved in the malpractice.
- 4.3 King James I Academy have appointed three individuals to act as a Whistleblowing Officer and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter.

Name and Position	Contact details
Accounting Officer	Nick Grieveson n.grieveson100@durhamlearning.net 01388 603388
Auditor	Clive Owen chris.beaumont@cliveowen.com 01325 349700
Finance Director	Darren Hall d.hall200@durhamlearning.net 01388 603388

- 4.4 In addition information and advice can be obtained for the charity Public Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows:-

Public Concern at Work
Suite 306
16 Baldwins Gardens
London
EC1N 7RJ

Telephone number 0207 404 6609
www.pcaw.co.uk

The Education Funding Agency would also be a source of advice in respect of any financial concerns.

The whistleblower may prefer to raise the matter in person, by telephone or in written form marked private and confidential and addressed to one of the above named individuals. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

The Whistleblowing Officers, have the following remit;

- (a) To receive and record any complaints under this Policy
- (b) To ensure the confidentiality of any whistleblowing complainant who requests that their complaint be treated in confidence
- (c) To investigate promptly any whistleblowing complaint and to respond directly to the complainant, with a right of access to the Head Teacher and all members and employees of the School and to all documents and records of the School.
- (d) To report to the Headteacher where the investigation identifies a serious cause for concern within the responsibilities of that officer and to recommend the use of any

relevant statutory powers or duties. Where the complaint relates to the conduct of a Governor or the Headteacher, he/she should report to the Chair of Governors.

- (e) To report as appropriate, either jointly with the Headteacher or in his/her own right, to the Governing Body
- (f) To recommend, in conjunction with the Headteacher, to settle appropriate action to resolve a complaint or recompense a complainant, and
- (g) To report every six months to the Head Teacher on the number of concerns raised, under this Whistleblowing Policy. Those matters raised, which identify fraud or loss to the School will be reported to the Finance and Property Committee.

4.5 It is better if concerns are raised in writing. This allows the opportunity to set out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee or governor is particularly concerned about the situation.

4.6 It is anticipated that an employee will know the address to write to for their Line Manager.

4.7 For contractors a clause will be inserted in all standard School contracts, highlighting that the Whistleblowing Policy applies to all their staff working on School business. It will place a requirement on these contractors to publicise the Whistleblowing Policy to all their key staff involved with their contract for the School.

4.8 Although whistleblowers are not expected to prove the truth of an allegation, they will need to demonstrate to the person they choose to contact that there are sufficient grounds for concern.

5.0 HOW THE SCHOOL WILL RESPOND

5.1 In order to protect both individuals and the School, 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 or discrimination issues) will normally be referred for separate consideration under those procedures.

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

5.3 Within 10 working days of a concern being received, the Whistleblowing Officer will write to the whistleblower:

- Acknowledging that the concern has been received
- Indicating how it proposes to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Stating whether any initial enquiries have been made, and
- State whether further investigations will take place, and if not, why not.

5.4 The amount of contact between the officers considering the issues and the whistleblower, 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 whistleblower.

5.5 When any meeting is arranged, the whistleblower has the right, if they so wish, to be accompanied by a Union or professional association representative or a friend who is not involved in the area of work to which the concern relates.

- 5.6 The School will take steps to minimise any difficulties, which the whistleblower may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, the school will provide advice about the procedure.
- 5.7 The School accepts that the whistleblower needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, information about the outcomes of any investigations will be provided.