

Brighter Academy Trust
Farringdon Community Academy
Confidential Reporting Code
(Whistleblowing Policy)



Date adopted by Governors/Academy: July 2017

Date to be reviewed: July 2018

Confidential Reporting Code (Whistleblowing Policy)

Introduction

Employees are often the first to realise that there may be something seriously wrong within the Academy. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Academy. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

Brighter Academy Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the Academy's work to come forward and voice those concerns. Wherever possible, employees are encouraged to use relevant procedures to report issues in an open and transparent way, in line with the organisational culture we are trying to foster. It is recognised, however, that some cases will have to proceed on a confidential basis.

This document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. The Confidential Reporting Code is intended to encourage and enable employees to raise serious concerns within the Academy rather than overlooking a problem or 'blowing the whistle' outside.

The Code applies to all employees, governors and directors and those contractors working for the Academy on Academy premises, for example, agency staff, builders, drivers.

These procedures are in addition to the Academy's complaints procedures. If asked, employees should make users aware of the existence of these procedures.

This Code has been discussed with the relevant trade unions and professional organisations and has their support.

Aims and scope of the code

This Code aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice.
- provide avenues for you to raise those concerns and receive feedback on any action taken.

- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.

There are existing procedures in place to enable you to lodge a grievance relating to your own employment. The Confidential Reporting Code is intended to cover major concerns that fall outside the scope of other procedures.

These include:

- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse of pupils or staff
- other unethical conduct

Thus, any serious concerns that you have about any aspects of service provision or the conduct of staff, officers, governors or directors of the Academy or others acting on behalf of the Academy can be reported under the Confidential Reporting Code. This may be about something that:

- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Academy subscribes to;
- is against the Academy's Constitution and policies;
- falls below established standards of practice;
- amounts to improper conduct.

Safeguards

Brighter Academy Trust is committed to good practice and high standards and wants to be supportive of employees.

The Academy recognises that the decision to report a concern can be a difficult one to make. If you believe what you are saying is true and the statement is made in good faith, you should have nothing to fear because you will be doing your duty to your employer and those for whom you are providing a service.

The Academy will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a

concern in good faith. This action will depend on the type of concern and specific service arrangements. On very rare occasions, you may be asked whether you would be prepared to obtain further information.

This would be entirely at your discretion and a full risk assessment would be completed, prior to such a course of action being agreed.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. Any breach of confidentiality will be regarded as a serious matter and will be dealt with accordingly. At the appropriate time, however, you may need to come forward as a witness.

Anonymous allegations

This Code encourages you to put your name to your allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Academy.

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

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

Untrue 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 an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

How to raise a concern

As a first step, you should normally raise concerns with your immediate line manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that senior leadership is involved, you should approach the Chair of Governors of the Local Governing Body.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to include the following information:

- the background and history of the concern (giving relevant dates);
- the reason why you are particularly concerned about the situation. The earlier you express the concern the easier it is to take action. Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern. Advice/guidance on how to pursue matters of concern may be obtained from:

Head Teacher: Howard Kemp

Chair of Directors: Alan Eastick

Chair of Governors: Glynnis Hossack

Business Manager: Rachel Allsop

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

You may invite your trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns you have raised.

How the Academy will respond

The Academy will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

Where appropriate, the matters raised may:

- be investigated by management or through the disciplinary process;

or

- be referred to the police;

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the Academy will have in mind, are your well-being and the public interest. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this

will be taken before any investigation is conducted. Within ten working days of a concern being raised, the person with whom you have raised your concerns will write to you:

- acknowledging that the concern has been received;
- indicating how we propose to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- telling you whether any initial enquiries have been made;
- telling you whether further investigations will take place and if not, why not.

The amount of contact between the officers considering 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, the Academy will seek further information from you.

However, should this further information need to be gleaned by you, from another person, without them being made aware of your involvement in the confidential reporting process, specific procedures will need to be applied.

Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative or a friend.

The Academy will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Academy will arrange for you to receive advice about the procedure.

The Academy accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

The Responsible Body

The Governing Body has overall responsibility for the maintenance and operation of the Code. The Head Teacher will maintain a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the Directors.

How the matter can be taken further

This Code is intended to provide you with an avenue within the Academy to raise concerns. The Academy hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the Academy, the following are possible contact points:

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.pcaaw.co.uk

or

- your local Citizens' Advice Bureau
- relevant professional bodies or regulatory organisations
- a relevant voluntary organisation
- the police

If you do take the matter outside the Academy, you should ensure that you do not disclose confidential information. Check with the contact point about that.

Equality and Diversity

We are committed to including equalities in everything we do. This includes the elimination of unlawful discrimination promoting diversity as a positive force and valuing & celebrating our diverse workforce and community.

If necessary, an equality impact assessment will be carried out in the preparation of this policy and the assessment will be reviewed on an ongoing basis

Confidential Reporting Code

The Confidential Reporting Code aims to encourage and enable employees to raise serious concerns within the Academy rather than ignore a problem or malpractice or 'blowing the whistle' outside.

This Code covers concerns outside of the following areas and does not replace the following procedures.

1. The Academy's complaints procedure

Complaint about the standard of service, actions or lack of actions by the Academy. Handling of the complaint is, in the first instance, the responsibility of the Head Teacher.

2. Finance Policy

Any staff or governors who become aware of any financial irregularities or suspected irregularities shall immediately notify the Head Teacher, the Chair of Governors and the Responsible Officer.

3. Arrestable offences

Where an arrestable offence has occurred, the Head Teacher will inform the police.

4. Grievance procedure

A grievance can relate to any aspect of employment which affects the employee personally and which is not reserved to be dealt with under any other established procedures excepting the following :- disciplinary matters, matters relating to deductions from pay, grading matters, redundancy and recruitment issues.

The matter should first be raised with the employee's line manager, and ultimately consideration by the Head Teacher and Local Governing Body

All concerns applicable under this Confidential Reporting Code should be raised with the person's immediate manager or supervisor. If the concern relates to their immediate manager then the concern should be raised with the next appropriate senior manager. Advice/guidance on who is the next appropriate manager can be sought from the 3 officers named in the Code.

Although concerns may be raised verbally or in writing (a suggested format for making a written report is included in the Code) a log of the nature and number of concerns arising within the Academy is held by the Head Teacher.

The person to whom the concern is raised should complete the attached form and forward to the Head Teacher

PRIVATE AND CONFIDENTIAL

Brighter Academy Trust, Farringdon Community Academy:

Confidential Reporting Code Form

(To be passed to the Head Teacher)

Name of person raising concern (may be anonymous)

Post Held :

Brief outline of nature of concern and dates :

Names of others involved :

Brief description of outcome, with dates :

Signature (of person to whom complaint is raised)

Please Print Name :

Date

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