



Hope Academy

A joint Catholic & Church of England Academy

WHISTLEBLOWING POLICY

Mission Statement:

Working together to inspire excellence, guided by Christian values

APPROVED	December 2022
REVIEW DATE	December 2025

WHISTLEBLOWING – STATEMENT AND PROCEDURE

BACKGROUND

- The Academy is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, Staff, Governors and others that we deal with, who have serious concerns about any aspect of the Academy are encouraged to voice those concerns.
- Staff and Governors at the Academy 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. This document makes it clear that concerns may be reported without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing Procedure is intended to encourage and enable Staff and Governors to raise serious concerns within the Academy rather than overlooking a problem or raising the matter externally.
- The procedure applies to all Staff, Governors and those contractors working for the Academy. It also covers suppliers and those providing services to the Academy. The procedure supplements the Academy's Complaints Procedures, Grievance Procedure and Child Protection Policies.

AIMS AND SCOPE OF THIS PROCEDURE

Whistleblowing may be defined as the disclosure, by Staff and Governors (former or current) and other individuals, of illegal or illegitimate practices. This procedure aims to:

- encourage Staff and Governors to feel confident in raising serious concerns and to question and act upon concerns about practices within the Academy.
- provide avenues for Staff and Governors to raise concerns and receive
- feedback on any action taken
- ensure that Staff and Governors receive a response to their concerns
- reassure Staff and Governors that they will be protected from possible reprisals or victimisation where they have a reasonable belief that they have made any disclosure in good faith.

There are existing procedures within the Academy to enable individuals to lodge a grievance or a complaint. The Whistleblowing Procedure is intended to cover major concerns that fall outside the scope of other procedures. These include:

- possible fraud and corruption
- the unauthorised use of Academy funds
- failure to comply with Standing Orders and Financial Regulations
- failure to comply with Codes of Practice
- conduct which is an offence or a breach of law
- disclosures related to miscarriages of justice
- health and safety risks, including risks to students, the public as well as other colleagues
- damage to the environment
- other unethical conduct.

THE PUBLIC INTEREST DISCLOSURE ACT

The Public Interest Disclosure Act 1998 (PIDA) protects employees who “blow the whistle” where the employee reasonably believes that the disclosure falls within the remit of the prescribed person or body, and that the information and any allegations are substantially true. Disclosures made under this procedure will be monitored for statistical purposes as required under the PIDA. The details of any disclosure will remain confidential.

Any member of the school community or the general public is able to “blow the whistle”; however, the PIDA only protects employees. The Non-employees section of this policy includes further details on how whistleblowing affects non-employees.

ASSURANCES TO ALL STAFF

- Disclosures made in good faith by Staff and Governors etc under this procedure will be treated confidentially, seriously and sensitively. Requests for anonymity, where made, will normally be met, but there may be circumstances such as prosecutions or disciplinary investigations where an individual may be asked to come forward as a witness.
- The Academy will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect Staff and Governors when they raise a concern in good faith.
- Under the Public Interest Disclosure Act 1998, where an employee / governor has made a “qualifying disclosure” it will be unlawful to dismiss or subject the employee / governor to any other detriment as a result of this disclosure. A “qualifying disclosure” means any disclosure of information which, in the reasonable belief of the employee / governor making the disclosure, tends to show one or more of the following:
 - a criminal offence has been committed, is being committed or is likely to be committed
 - a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject
 - a miscarriage of justice has occurred, is occurring or is likely to occur
 - the health or safety of any individual has been, is being or is likely to be endangered
 - the environment has been, is being or is likely to be damaged
 - information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

UNTRUE ALLEGATIONS

If an allegation is made in good faith, but it is not substantiated, no disciplinary action will be taken against the person raising the concern. If, however, an allegation is made frivolously, maliciously or for personal gain, the Academy may investigate this under the Disciplinary Procedure.

NON-EMPLOYEES

The PIDA and the Employment Rights Act 1996 do not protect non-employees as far as whistleblowing is concerned. Irrespective of this, the academy will not allow harassment, dismissal or exclusion for any non-employee who raises a genuine concern.

Where an individual feels that they have been unfairly treated following blowing the whistle, they should make a complaint under the school’s Complaints Procedures.

Governors are not employees and, while they are responsible for ensuring there is a whistleblowing procedure in place, they are not protected under the PIDA.

HOW TO RAISE A CONCERN

- As a first step, concerns should normally be raised with the PA to the Principal. If the concern relates to the PA to the Principal, the matter should be raised with the Principal. If the concern relates to the Principal, the matter should be raised with the Chair of Governors.
- Concerns may be raised orally or in writing. If the concern is made orally, the complainant may be requested to put the concern in writing at the initial meeting. If the complainant is unable to put the concern in writing, the PA or the Principal will write a summary of the concern. The earlier a concern is expressed then the easier it is to take action. Although individuals are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate that there are reasonable grounds for their concern. Those raising concerns may invite their trade union, professional association representative or colleague to be present during any meetings or interviews in connection with the concerns they raise.

HOW THE ACADEMY WILL RESPOND

- The PA to the Principal, the Principal or Chair of Governors will respond to concerns raised and it should be noted that testing out concerns is not the same as either accepting or rejecting them.
- 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. Concerns or allegations which fall within the scope of specific procedures (e.g. Grievance or Child Protection Issues), will normally be referred for consideration under those procedures. In addition, issues initially raised within the Whistleblowing Procedure may also be dealt with within the Disciplinary Procedure.
- 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. Matters relating to alleged financial irregularities may be referred to the Academy's auditors.
- Those raising a concern should be written to within ten working days:
 - acknowledging that the concern has been received
 - indicating how it is proposed to deal with the matter
 - giving an estimate of how long it will take to provide a final response
 - indicating whether any initial enquiries have been made
 - advising on staff support mechanisms indicating whether further investigations will take place and, if not, why not.
- Where any meeting is arranged, anyone involved with the concern may be accompanied by a trade union representative or a work colleague.

HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide an avenue within the Academy to raise concerns. If the person raising the concern remains dissatisfied and feels it is appropriate to take the matter outside the Academy, the following are possible contact points:

- trade union
- local Citizens Advice Bureau
- relevant professional body or regulatory organisation
- the Police
- HM Revenue & Customs

- the Health and Safety Executive
- the Environment Agency.

- Report to the ESFA using the online form [online contact form](#).

FURTHER ADVICE SOUGHT

- Employees or non-employees wishing to seek professional and confidential advice should contact Protect, a registered charity that advises on whistleblowing queries. The Protect website address is www.protect-advice.org.uk or they can be contacted on 020 3117250.
- If a member of staff feels like they are unable to raise a safeguarding-related concern with the school, or feels that their genuine concerns are not being addressed, they are able to contact the NSPCC Whistleblowing Helpline on 0800 028 0285 or the LADO.

The purpose of this policy is to enable individuals to raise concerns in confidence, without any fear of reprisal. It is important that whistleblowers:

- Do not talk about the concern outside the school unless it is to report the concern through the proper external channels, e.g. the LA.
- Declare any personal interest in the matter, as the policy is designed to be used in the interest of the public and not for individual matters.