

WEST PARK ACADEMY

CONFIDENTIAL REPORTING POLICY (WHISTLE BLOWING POLICY)



Date reviewed: February 2024

Date approved by Board of Trustees: March 2024

Preamble

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.

The Academy 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. It is recognised that most cases will have to proceed on a confidential basis.

This policy document makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting policy is intended to encourage and enable employees to raise serious concerns, i.e. concerns deemed to be in the public interest, within the Academy rather than overlooking a problem or 'blowing the whistle' outside to a prescribed body.

The policy applies to all employees, trustees and those contractors working for the Academy on Academy premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with the Academy in their own premises.

These procedures are in addition to the Academy's complaints procedures. You are responsible for making service users aware of the existence of these procedures.

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

Aims and Scope of this Policy

This policy 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 Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- (a) Conduct which is an offence or a breach of law ie fraud or financial irregularity
- (b) Disclosures related to miscarriage of justice
- (c) Health and safety risks, including risks to the public as well as other employees
- (d) Risk or actual damage to the environment
- (e) The unauthorised use of public funds
- (f) Possible fraud and corruption
- (g) Sexual or physical abuse of pupils
- (h) Other unethical conduct.

Thus, any serious concerns that you have about any aspect of service provision or the conduct of employees or Trustees of the Academy or others acting on behalf of the Academy can be reported under the Confidential Reporting Policy. This may be about something that:

- (a) Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Academy subscribes to
- (b) Is against the Academy's Procedure Rules and policies
- (c) Falls below established standards of practice
- (d) Amounts to improper conduct

This policy does not replace the Academy's complaints procedure.

Safeguards

Harassment or Victimisation

The Academy 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 what you are saying is true, 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.

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. At the appropriate time, however, you may need to come forward as a witness.

Anonymous Allegations

This policy 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 factors to be taken into account would include:

- (a) The seriousness of the issues raised
- (b) The credibility of the concern
- (c) 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

The Principal will ensure that three members of staff, including herself, of appropriate experience within the Academy are designated as persons to be contacted for the purposes of this procedure and with whom concerns should be raised.

Concerns should be raised with one of the three designated persons listed below. 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 the Principal is involved, you should approach one of the two other designated persons.

Concerns may be raised verbally or in writing. Employees who wish to make a written report are invited to use the following format:

- (a) the background and history of the concern (giving relevant dates); and
- (b) 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 designated person that there are reasonable grounds for your concern.

Advice/guidance on how to pursue matters of concern may also be obtained from:

Designated Persons:

Name and Position	Contact details
Mr M Jones, Trustee	c/o West Park Academy
Mrs S Hirst, Principal	c/o West Park Academy
Mrs E Campbell, Finance Manager	c/o West Park Academy

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:

- (a) be investigated by management through the disciplinary process
- (b) be referred to the Police.
- (c) be referred to the Education Funding Agency

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 is the public interest. Concerns or allegations which 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 raised the concern will write to you:

- (a) acknowledging that the concern has been received
- (b) indicating how we propose to deal with the matter
- (c) giving an estimate of how long it will take to provide a final response
- (d) telling you whether any initial enquiries have been made
- (e) supplying you with information on staff support mechanisms; and
- (f) 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.

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 Finance Manager

The Finance Manager has overall responsibility for the maintenance and operation of this policy. That Officer maintains 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 Academy. All records will be kept confidential and stored in line with the Academy's Record Management Policy.

How the Matter Can Be Taken Further

This policy 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 you should contact a prescribed person or body (guidance is available from www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2)

Other contact points are:

Information and advice can be obtained from the charity Protect. 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:

Protect
The Green House
244–254 Cambridge Heath Road
London
E2 9DA

Telephone number 020 3117 2520
<https://protect-advice.org.uk/>

or

- (a) your Trade Union
- (b) your local Citizen Advice Bureau
- (c) relevant professional bodies or regulatory organisations
- (d) a relevant voluntary organisation
- (e) the Police
- (f) the Education Funding Agency

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.

References

<https://www.gov.uk/guidance/how-esfa-handles-whistleblowing-disclosures>

<https://www.gov.uk/whistleblowing>