



Compass
Academy Trust

Whistleblowing Policy

Approved by Trustees: 25 November 2019

Due for Review: November 2020

Whistleblowing Policy

Introduction

This policy sets out details of the procedure whereby staff, Trustees and Governors can raise legitimate and genuine concerns about any form of wrong doing or malpractice e.g. alleged misconduct relating to improper practices or fraud, sexual or physical abuse of pupils or staff which fall outside the scope of other existing internal procedures.

The procedures laid out will allow individuals to voice their concerns in the knowledge that these will be taken seriously and investigated thoroughly and impartially and there will be no repercussions against individuals that raise matters in good faith. The procedure therefore aims to act as a deterrent to serious malpractice and also enables the Trust to avoid public criticism should such matters become public knowledge.

The procedure is not a substitute for normal line management processes but in addition to them. Staff should always first consider using normal line management for raising concerns. This procedure should only be used where all other existing internal procedures are felt to be inappropriate or when a member of staff feels inhibited in going through the normal line management e.g. if a member of staff has a grievance then it must be raised through the grievance procedure; it would not be appropriate for it to be raised through this procedure.

Statutory Requirements

The Public Interest Disclosure Act 1998 which aims to give statutory protection against victimisation and dismissal to employees who 'blow the whistle' on their employers' fraudulent, criminal or dangerous activities came into effect on 2nd July 1999.

From that date employees who report malpractice in specified circumstances and subject to specified conditions have been protected from 'blowing the whistle'. The Act sets out six categories of disclosure which qualify for protection. They are matters which, in the reasonable belief of the whistle blower tend to show:

- The commission of a criminal offence;
- Failure to comply with a legal obligation;
- A miscarriage of justice;
- Health and safety contraventions;
- Environmental damage; or
- Deliberate concealment of information in relation to the above.

The 'belief' can be in relation to past, present or future anticipated events. If a whistle blower is dismissed s/he is entitled to unlimited compensation from an Employment Tribunal. Dismissal will be automatically unfair.

Scope

This procedure applies to all Trustees, Governors and teaching and support staff employed at the Trust, with the exception of staff employed on a casual day to day basis or contract staff. The procedure does not apply to parents, for whom separate procedures exist.

Operation of the Policy

The seriousness of the issue will influence who you decide to raise it with. It may be:

- Your immediate line manager or Head Teacher
- The Accounting Officer
- A Local Governor
- A member of the Board of Trustees

If the issue is of a very serious nature, for example concerning maltreatment of service users, maladministration or an illegal act, you may decide that it is appropriate to contact the Chair of Trustees who has statutory responsibility for taking action on illegality or maladministration. If the issue involves possible fraud or corruption you may decide to contact the Department of Education.

If staff are not satisfied with the internal procedure and have concerns about fraud or corruption the academy's External Auditor can be contacted at:

Write to:

Baxter & Co.
Lynwood House
Crofton Road
ORPINGTON
Kent
BR6 8QE

Call: 01689 877081

If staff are not satisfied with the internal procedure and have concerns about practices and procedures for the safeguarding of children and young people they should contact Ofsted on their Whistleblower hotline as follows:

Write to:

WBHL
Ofsted
Piccadilly Gate
Store Street
Manchester M1 2WD

Call: 0300 123 3155 (Monday to Friday from 8.00am to 6.00pm).

Email: whistleblowing@ofsted.gov.uk.

Further details can be found at <http://www.ofsted.gov.uk/contact-us/whistleblower-hotline>.

Staff may also find it helpful to contact Public Concern at Work, a charity specialising in providing advice for whistleblowers, on 020 7404 6609 or visit their website <http://www.whistleblowing.org.uk/>

The Chair of Trustees, Accounting Officer and Head Teachers will ensure that there is no victimisation or harassment of those raising concerns, regardless of the outcome of any particular incident.

Concerns will be received in one of three ways:

- Over the telephone;
- By letter; or
- By a visit to or from the individual.

Once a concern has been raised the first step under the procedure is for the receiving officer to determine whether it falls under the procedure. If the matter is considered to be a concern which should be dealt with under this policy, the receiving officer will take from the individual sufficient details to enable the matter to be thoroughly investigated. In some cases it will not be possible to maintain confidentiality (see below) and the receiving officer would explain this. In such circumstances the individual will have the choice of either withdrawing or agreeing to his/her identity becoming known to enable the concern to be effectively pursued.

Confidentiality

As far as is practicable, individuals who use the procedure are able to do so in confidence if they wish, if this is possible. There are only two circumstances when this may not be possible.

1. If a particular person misuses the scheme, e.g. by making malicious or repeated unsubstantiated complaints against colleagues. Such misuse of the scheme could give rise to action under the academy's Disciplinary Procedure. If a receiving officer knows or has a suspicion that a reporting individual comes into this category then s/he will take advice from an appropriate member of management who will help to determine what action should be taken.
2. If the circumstances make it necessary for the identity of the reporting individual to be revealed for the purpose of completing the investigation of a concern. An obvious example of this is where an individual may need to give evidence at a disciplinary hearing.