



CONFIDENTIAL DISCLOSURES (WHISTLEBLOWING) POLICY

Reviewed: March 2018

Next Review Date: March 2021

Whistleblowing has been defined as:

‘The disclosure by an employee or professional of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the work place, be it of the employee or his/her fellow employees’

(Public Concern at Work Guidelines 1997)

In general terms we adopt the procedures laid down by the LA in regards to public disclosures, but supplements these with the following specific notes for our Academy.

Rationale:

The Governors at Branston aim to be a good employer and are committed to high standards of probity and good practice in employer/employee relations.

The Public Interest Disclosure Act 1998 protects employees from any victimisation by employers if they reveal any wrong-doing in the workplace, and fear that they might be victimised in so doing. This policy is designed to ensure that employees can follow simple procedures, and to reassure everyone in the school that their concerns will be taken seriously.

Responsibilities

The Principal has overall responsibility for the procedures including ensuring that:

- the policies are in line with legislation and LA guidelines.
- they are implemented,
- any concerns and any action taken are reported to the governing body,
- all staff are aware of their rights and duties under the Act

Rights

Any worker at Branston is entitled, without any fear of reprisal, to disclose any action which he/she reasonably considers:

- potentially or actually unlawful, or
- involves a miscarriage of justice, or
- compromises an individual's health and safety
- might cause environmental damage, or
- contravenes any LA or school policy, or
- might be considered improper, or
- falls below the normal standards of conduct in the school
- abuse of authority
- failure to comply with a statutory or legal obligation
- potential maladministration, misconduct or malpractice
- action that has caused or is likely to cause physical danger to any person or risk serious damage to school property
- sexual, physical or emotional abuse of members of staff or students
- unfair discrimination or favouritism
- racist incidents or acts, or racial harassment and
- any attempt to prevent disclosure of any of the issues listed.

or any concealment of such action.

This right is guaranteed by the Governors, so long as the individual has acted in good faith.

Duties

The member of staff must:

- act in good faith when making such a disclosure, and
- must not commit a criminal offence in so doing, or
- disclose such confidential information to any person outside the school (except for an appropriate officer of the LA.)
- not expect any personal gain from making the revelation

1 Complaints Procedures

1.1 Members of staff should consider whether the Academy grievance or complaints procedure should be followed in the first instance.

1.2 Any disclosure of a lack of probity during these procedures is protected by legislation, and the Governors' guarantee.

2. Confidential Reporting

2.1 In addition, any member of staff who has a reasonable concern about the probity of any action taken in the school can also choose to follow the '**confidential reporting route**'.

2.2 In the first instance, he/she should take the matter up in confidence with the Principal or other member of the senior leadership team. In the case of concerns regarding actions of the Principal the matter should be taken up with the Chair of Governors. If the concern is to do with action taken by the Governors the matter should be referred to the LA.

2.3 The Principal, member of the senior leadership team or Chair of Governors, must attempt to resolve the matter with the member of staff within a reasonable time, and in any case must report progress to the member of staff **within ten days** of the making of the complaint.

2.4 If the member of staff is not satisfied with the Principal's or Chair of Governor's response to the complaint, or the time being taken to resolve it, the member of staff may take the matter up formally and promptly with the Governors Staffing Committee (or the local authority if the matter refers to the governing body).

3. Untrue and Malicious/Vexatious Allegations

3.1 If a member of staff makes an allegation in good faith but it is not confirmed by further inquiry the matter will be closed and no further action taken. If, however, the inquiry shows that untrue allegations were malicious and/or vexatious or made for personal gain then the governing body will consider taking disciplinary action against the member of staff.

4. Allegations Concerning Child Protection Issues

4.1 If a member of staff raises a concern related to a child protection issue, the Principal or Chair of Governors (if the concern is about the Principal) should urgently consult the Local Authority Designated Officer (01522 782111). However, in relation to child protection issues, it is open to the member of staff to make a direct referral to the social services designated manager either before raising their concern with the governing body or where the Principal or Chair of Governors fails to do so after raising their concern and the member of staff remains concerned about the situation.

5. **Victimisation**

- 5.1 At all times the Governors guarantee that the member of staff will be protected from any reprisals or victimisation.
- 5.2 However, any member of staff taking such a course must not make malicious or vexatious allegations which are shown to be untrue. In such circumstances the member of staff's conduct could lead to disciplinary action.

6. **Monitoring and Review**

- 6.1 The SLT will report and discuss all complaints of this nature to the Principal. The Principal will report all complaints of this nature to the next appropriate meeting of the Governors, without revealing the name of the complainant or any unnecessary details. The Principal will report on the nature of any complaint and the action taken, and the resolution of it.
- 6.2 Concerns and complaints should be viewed positively as data gathered can be used to inform evaluation and future plans and strategy.

7. **Record keeping**

- 7.1 It is important that we keep a written record of any meetings that take place regarding an issue or complaint.

8. **Taking the Matter Further**

- 8.1 If no action is to be taken and/or you are not satisfied with the way the matter has been dealt with, you can make a complaint under the governing body's complaints procedure or raise your concerns with other organisations as listed below:

- the local authority
- a solicitor
- the Police – for concerns of criminal behaviour
- a trade union or professional association
- Public Concern at Work (an independent charity that provides free advice for persons who wish to express concern about fraud and other serious malpractice. Telephone 0207 404 6609 or www.pcaaw.org.uk)

- 8.2 **Any issues of this nature should always remain confidential. Any staff discussing or revealing any issues outside permitted contacts may risk disciplinary action.**