

[http://www.proceduresonline.com/barnsley/scb/p\\_whistleblowing.html](http://www.proceduresonline.com/barnsley/scb/p_whistleblowing.html)

# **Whistle Blowing Policy**

**Upperwood Academy 2018/19**

Whistleblowing' is when a worker reports suspected wrongdoing at work. Officially this is called 'making a disclosure in the public interest'.

## 1. Policy

It is the duty of every member of staff to speak up about genuine concerns in relation to criminal activity, breach of a legal obligation (including negligence, breach of contract, breach of administrative law), miscarriage of justice, danger to health and safety or the environment, and the cover up of any of these in the workplace. It applies whether or not the information is confidential.

Upperwood Academy is committed to ensuring that any staff concerns of this nature will be taken seriously and investigated. A disclosure will be protected if the member of staff has an honest and reasonable suspicion that the malpractice has occurred, is occurring or is likely to occur. Staff who raise concerns reasonably and responsibly will not be penalised in any way. Whistle blowing is not a concern or a grievance. A grievance is when an employee has a dispute about their own employment position. A complaint can be made when you or someone close to you has been poorly treated and redress or justice is sought.

Staff must acknowledge their individual responsibility to bring matters of concern to the attention of the headteacher. Although this can be difficult this is particularly important where the welfare of children may be at risk. You may be the first to recognise that something is wrong but may not feel able to express your concerns out of a feeling that this would be disloyal to colleagues or you may fear harassment or victimisation. These feelings, however natural, must never result in a child or young person continuing to be unnecessarily at risk. Remember it is often the most vulnerable children or young people who are targeted. These children need someone like you to safeguard their welfare.

***Don't think what if I'm wrong - think what if I'm right***

### **Reasons for whistleblowing**

Each individual has a responsibility for raising concerns about unacceptable practice or behaviour

To prevent the problem worsening or widening

To protect or reduce risks to others

To prevent becoming implicated yourself

### **What stops people from whistleblowing**

Starting a chain of events which spirals

Disrupting the work or project  
Fear of getting it wrong  
Fear of repercussions or damaging careers  
Fear of not being believed

## **2. Who this policy is for**

This policy is for people employed by Upperwood Academy. For the purposes of this policy **only**, this is someone who is:

- Employed on a permanent or fixed term contract of employment;
- On a temporary contract or employed through an agency to work for either school

## **3. Guiding principles**

To ensure that this policy is adhered to, and to assure staff that the concern will be taken seriously our schools will:

- Not allow the person raising the concern to be victimised for doing so;
- Treat victimisation of whistle blowers as a serious matter, that may lead to disciplinary action that may include dismissal;
- Not attempt to conceal evidence of poor or unacceptable practice;
- Take disciplinary action if an employee destroys or conceals evidence of poor or unacceptable practice or misconduct;
- Ensure confidentiality clauses in employment contracts do not restrict, forbid or penalise whistle blowing;

## 4. Procedure

Any individual who has reasonable suspicions of malpractice should initially take their concerns to the Principal Mr Alistair Budd . In the instance that the above may be related to a concern raised, then the matter should go directly to the chair of governors (Mrs Velda Hulme Cocking).

It is recognised that for some individuals, raising a concern under this procedure may be a daunting and difficult experience. An individual may choose to be accompanied or represented by their professional organisation at any stage of this procedure.

All reported incidents will be investigated.

All reports will be dealt with in confidence, with only staff who need to know, being informed.

The Principal (or person above) will establish and record the basis of the concerns that have been raised and establish what further actions are required. The individual raising the concern will be advised of the outcome of the investigation as soon as possible, normally within two weeks of the date of their disclosure. Where a longer period is needed for investigation, the member of staff will be informed in writing.

The Chair of Governors will be informed of all reported disclosures and the actions being taken.

Any matter relating to child protection should follow Child Protection procedures that apply to the school and Local Authority. If a member of staff is not satisfied with the outcome and still feels that a child is at risk of imminent harm they should contact Barnsley Child Protection service or the Police

Local Authority Designated Office 01226 772400

### **How to raise a concern**

You should voice your concerns, suspicions or uneasiness as soon as you feel you can. The earlier a concern is expressed the easier and sooner action can be taken.

Try to pinpoint exactly what practice is concerning you and why.

Approach the headteacher.

If your concern is about your immediate manager/headteacher, or you feel you need to take it to someone outside the school, contact the chair of governors or local authority.

Make sure you get a satisfactory response - don't let matters rest. Put your concerns in writing, outlining the background and history, giving names, dates and places where you can.

A member of staff is not expected to prove the truth of an allegation but you will need to demonstrate sufficient grounds for the concern.

### **What happens next**

You should be given information on the nature and progress of any enquiries.

Your employer has a responsibility to protect you from harassment or victimization.

No action will be taken against you if the concern proves to be unfounded and was raised in good faith.

Malicious allegations may be considered as a disciplinary offence.

## **5. Independent advice and further reading**

Employees who feel unsure about whether or how to raise a concern or want confidential advice can contact the independent charity Public Concern at Work on 020 7404 6609 or email [helpline@pcaw.co.uk](mailto:helpline@pcaw.co.uk). Their lawyers can give free confidential advice on how to raise a concern about serious malpractice at work.

Free information and advice can also be obtained from the Advice, Conciliation and Arbitration Service (ACAS) – Telephone: 08457 47 47 47.

Public Concern at Work and ACAS can advise on the circumstances when it is more appropriate to contact an outside body.

For further reading staff may refer to:

Guidance produced by the Counter Fraud and Security Management Service  
<http://www.cfsms.nhs.uk/>

Guidance produced by Public Concern at Work [www.whistleblowing.org.uk](http://www.whistleblowing.org.uk).

Alternatively, contact your union or independent advisory body.

Date of Review

June 2020

