



Castle View
Enterprise
Academy

Whistleblowing Policy

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SIGNATURES:

Principal	Mrs J. S. Bridges
Chair of Governors	Mrs H. Mottram

Background

The United Kingdom public sector maintains high standards of openness, honesty, integrity and accountability. Castle View Enterprise Academy (CVEA) shares these standards and is committed to maintaining high standards in the conduct of all its affairs.

As part of this commitment the CVEA is committed to combating any acts of impropriety wherever they may arise in relation to any of its activities or services. In achieving this aim, the academy has put in place arrangements to ensure high standards are maintained and that any act of impropriety is prevented or is detected at an early stage.

The academy realises, however, that, despite its best efforts, impropriety (e.g. unlawful conduct, financial malpractice, conducting activity which may present a danger to the public, employees or the environment) can be discovered by chance. It is often through the alertness of not only its workers but members of the public, other authorities or agencies, service users, partners or suppliers / contractors etc. that impropriety is detected. Consequently the academy acknowledges the important role that these parties, including the local community, have to play in helping the academy to maintain high standards and are keen to involve them in its arrangements for the detection of acts of impropriety.

Commitment

CVEA is committed to the principle that where any person, i.e. Employee, Governor, Member, Trustee or member of the public or any other external body, becomes aware of, or has concerns about, activity in the academy which appears to fall below its high standards of honesty, integrity, openness and accountability, they should be reported promptly.

As part of this commitment the academy acknowledges the need to encourage any person who believes that there may be something seriously wrong within the academy or who may have concerns about any aspect of the academy's work to come forward and voice those concerns. The academy is committed to creating and maintaining a culture whereby any individual who seeks to express concerns and suspicions may do so with confidence, without fear of repercussion or intimidation and in the knowledge that the information will be treated confidentially and will be investigated fully and rigorously.

Implementation

CVEA is committed to establishing and maintaining effective reporting arrangements to ensure that, where an individual has serious concerns regarding the conduct of any aspect of the academy's business, they can do so through a variety of avenues, promptly and in a straight forward way.

Awareness

CVEA will seek to ensure that its policy and arrangements for Whistleblowing are appropriately publicised.

Arrangements for Employees

1 Introduction

1.1 CVEA is committed to the highest possible standards of openness, honesty, integrity and accountability. As part of this commitment the academy is keen that activity, which falls below these standards, is reported in order that it can be dealt with promptly. The academy acknowledges that employees are often the first to realise that there may be something seriously wrong within their organisation and that the academy needs to encourage employees and others with concerns about any aspect of the academy's work to come forward and voice those concerns. Usually these concerns are easily resolved. However, when they are about unlawful conduct, financial malpractice or dangers to the public, other staff or the environment, it can be difficult to know what to do.

Specific examples could include:-

- a criminal offence (e.g. fraud, corruption etc.) may have or has been committed
- a miscarriage of justice has been or is likely to occur
- the health or safety of an individual has been or is likely to be endangered
- public funds are being used in an unauthorised manner
- the environment has been or is likely to be damaged
- the academy's procedures (e.g. Code of Conduct, Contract Procedure Rules, Financial Procedure Rules) has been or is being breached by members and / or employees
- abuse (e.g. physical, sexual) of any employee or service recipient is taking place discrimination to any person, e.g. disability, race etc.
- information relating to any of the above is being deliberately concealed.

1.2 An employee may be worried about raising such issues or may want to keep the concerns to themselves, perhaps feeling it's none of their business or that it's only a suspicion. You may feel that raising the matter would be disloyal to colleagues, managers or to the organisation. You may also fear harassment or victimisation. You may decide to say something but find that you have spoken to the wrong person or raised the issue in the wrong way and are not sure what to do next.

- 1.3 The academy has introduced this Whistleblowing Policy to enable employees or others to raise concerns about such malpractice at an early stage and in the right way. We would rather that you raised the matter when it is just a concern rather than wait for proof. The Whistleblowing Policy is intended to encourage and enable you, as an employee, to raise serious concerns within the academy rather than overlooking a problem or simply reporting it outside. It should be read in conjunction with the Code of Conduct for employees.
- 1.4 If something is troubling you, which you think we should know about, or look into, please use this policy. Don't ignore the concern. If, however, you have a grievance about your own personal position or employment, please use the appropriate Grievance Procedure - which you can obtain from your line manager. This Whistleblowing Policy is primarily for concerns where the interests of others or of the organisation itself are at risk.
- 1.5 Please be aware that you have a right to raise concerns about safeguarding by using the whistleblowing procedures. The whistleblowing helpline is available from the NSPCC. Staff can call 0800 800 5000 or email help@nspcc.org.uk

The phone line is available from 8:00 AM to 8:00 PM, Monday to Friday and Email: help@nspcc.org.uk

2 Aims

2.1 This policy aims to:-

- encourage employees to feel confident in raising serious concerns
- reassure workers that, when they raise any concerns in good faith and reasonably believe them to be true, i.e. “whistleblow”, they will be protected from reprisals or victimisation
- provide avenues for a worker to raise concerns and receive feedback on any
- action taken
- ensure that workers get a response to the concerns they have raised from the academy and, if not satisfied, shows how they may take the matter further if they are dissatisfied with the response;

3 Scope

- 3.1 This policy may be used by all employees. This includes permanent and temporary employees and agency workers.
- 3.2 It is not intended that this policy, and its associated procedures, be used to raise concerns which fall within the scope of other procedures where more appropriate procedures are available, for example:-
- grievances
 - harassment

4 Safeguards

Harassment or Victimisation

- 4.1 The academy recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The academy will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. If you raise a genuine concern under this policy, you will not suffer any detriment in connection with your employment. Therefore, providing you are acting in good faith, it does not matter if you are mistaken.
- 4.2 However, this does not mean that, if you are already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of your disclosure.

Confidentiality

- 4.3 The employer will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent or unless instructed by a Tribunal or Court. If the situation arises where we are not able to resolve the concern without revealing your identity (e.g. a statement by you may be required as part of the evidence) we will discuss with you whether and how we can proceed.

Anonymous Allegations

- 4.4 This policy strongly encourages you to put your name to your allegation. Concerns expressed anonymously will be much more difficult for us to look into or to protect your position or to give you feedback. Concerns

raised anonymously are much less powerful and less likely to be effective, but they will be considered at the discretion of the employer.

4.5 In exercising discretion, the factors to be taken into account would include:-

- the seriousness of the issues raised
- the credibility and plausibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

Untrue or Malicious Allegations

4.6 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 malicious or vexatious allegations, disciplinary action may be taken against you.

5 How to Raise a Concern

5.1 As a first step, you should normally raise concerns with your immediate manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that management is involved, you should approach the Principal in the first instance, or if this is inappropriate, or the Chair of Governors.

Please say if you want to raise the matter in confidence so the person you contact can make appropriate arrangements.

5.2 Concerns are better raised in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation.

5.3 The earlier you express the concern, the easier it is to take action. You may also wish to involve your Trade Union representative at this stage.

5.4 Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

5.5 You may also invite your Trade Union or professional association to raise a matter on your behalf.

6 How the Academy will respond

- 6.1 The action taken by the employer will depend on the nature of the concern. The matters raised may:-
- be investigated internally
 - be referred to the Police
 - be referred to an External Auditor
- 6.2 In order to protect individuals and the academy, 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 (for example, child protection) will normally be referred for consideration under those procedures.
- 6.3 Some concerns may be resolved by agreed action without the need for investigation.
- 6.4 Within ten working days of a concern being received, your concern will be acknowledged and you will be told, in overall terms, how the matter will be dealt with, giving, where possible, an estimate of how long it will take to provide a final response; telling you whether any initial enquiries have been made; and telling you whether further investigations will take place, and if not, why not.
- 6.5 The amount of contact between those investigating 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, further information will be sought from you.
- 6.6 When any meeting is arranged, you have the right, if you so wish, to be accompanied by a Trade Union colleague, a work colleague, a professional association representative or a friend who is not involved in the area of work to which the concern relates.

7 Independent Advice

- 7.1 If you are unsure whether to use this Policy or you want independent advice at any stage, you may contact: if applicable, your union; employee assistance helpline (0800 328 1437); the independent charity Public Concern at Work on 020 3117 2520. Their lawyers can give you free

confidential advice at any stage about how to raise a concern about serious malpractice at work.

8 How the matter can be taken further

8.1 This policy is intended to provide you with an avenue to raise concerns within the academy and to give you the reassurance you need to raise such matters internally. The academy hopes you will be satisfied. If you are not, and if you feel it is right to take the matter outside the academy, the following are possible contact points:

- the Police
- the Local Government Ombudsman (0300 061 0614)
- the Information Commissioner (0303 123 1113)
- Audit Commission Public Interest Disclosure line (020 7798 7264)
- The Charity Commission for England and Wales (0300 066 9197)
- The Secretary of State for Education (0370 000 2288)
- OFSTED 0300 123 3155
- OFQUAL 0300 303 3346
- Education and Skills Funding Agency (0370 000 2288)

The list above is not exhaustive and other possible parties to contact may be:-

- relevant professional bodies or regulatory organisations
- your solicitor

We would rather you raised a matter with the appropriate regulator or outside body than not at all. You may raise a concern with any of the above provided that:

- you make the disclosure in good faith
- you reasonably believe that the information disclosed, and any allegation contained in it, are substantially true
- you do not make the disclosure for the purposes of personal gain.

Again appropriate legal advice should be sought prior to raising a matter externally.

8.2 If you do take the matter outside the academy, you need to ensure that you do not disclose confidential information (see Code of Conduct for Employees)

- 8.3 All whistleblowing personal data will be retained in line with the General Data Protection Regulations 2018.

This Policy will be reviewed regularly to ensure the policy remains up to date and to ensure it remains effective. The review will be carried out by the Governors of the Academy