ST GEORGE'S ACADEMY

WHISTLEBLOWING POLICY

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Policy Statement

Background	The **Public Interest Disclosure Act 1998,** shortened to **PIDA**, is the law that protects whistleblowers from negative treatment or unfair dismissal. It is part of the Employment Rights Act 1996 (ERA). The Act sets out a simple framework to promote responsible whistleblowing. PIDA makes it unlawful to subject a worker to negative treatment or to dismiss them because they have raised a whistleblowing concern.
Statement	St George's Academy is committed to conducting our business with honesty and integrity, and we expect all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.
Responsibilities	The Governing Body has overall responsibility for this policy, for ensuring compliance with the relevant statutory framework and for reviewing the effectiveness of actions taken in response to concerns raised under this policy. The Governing Body delegates day-to-day responsibility for operating the policy and ensuring its maintenance and review to the HR Manager. All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the HR Manager.

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Target Audience	The policy applies to all staff members or other workers who provide services to the Academy in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.
Dissemination	Website and X drive
Equality and Diversity	As part of our on-going commitment to promoting equality and valuing diversity, St George's Academy is committed to eliminating discrimination against any individual on the grounds of the nine protected characteristics defined by the Equality Act (2010) age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

1. Introduction

1.1 Any individual at one time or another may have concerns about what is happening at work. Usually these concerns are easily resolved. However, when they are related to unlawful conduct, financial malpractice, fraud and corruption, it can be difficult to know what to do.

1.2 The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected
- To provide staff with guidance as to how to raise those concerns
- To set clear procedures for how the Academy will respond to such concerns
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken

1.3 This policy does not form part of staff contracts of employment and may be amended at any time.

2. What is Whistleblowing

2.1 "**Whistleblowing**" is the disclosure of information that relates to suspected wrongdoing or dangers at work. The law provides protection for workers who raise legitimate concerns about specified matters or 'qualifying disclosures'. A qualifying disclosure must be based on the reasonable belief that the disclosure is in the public interest. This may include but is not limited to one or more of the following:

- That a criminal offence has been committed, is being committed or is likely to be committed.
- That a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject.
- That a miscarriage of justice has occurred, is occurring or is likely to occur.
- That the health or safety of any individual has been, is being or is likely to be endangered.
- That the environment has been, is being or is likely to be damaged.
- That sexual harassment has occurred, is occurring or is likely to occur.
- That information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.
- Bribery
- Financial fraud or mismanagement
- Breach of the Academy's internal policies and procedures

- Conduct likely to damage the Academy's reputation or financial wellbeing
- Unauthorised disclosure of confidential information
- Negligence
- Unethical behaviour
- Inappropriate use of school assets or funds
- The deliberate concealment of any of the above matters

This list is not exhaustive

2.2 For a qualifying disclosure to be protected, it must be made by a worker using one of the following permitted methods of disclosure:

- Disclosure to the employer or other person responsible for the failure.
- Legal advisers.
- Government Ministers.
- A person prescribed by an order made by the Secretary of State.
- Other disclosures may be protected where in the particular circumstances they are either reasonable, or special provision is made for disclosures relating to exceptionally serious problems.

2.3 A "**whistleblower**" is a person who raises a genuine concern relating to any of the above. Where an individual has any genuine concerns related to suspected wrongdoing or danger affecting any of the Academy activities (a "**Whistleblowing concern**") they should report it under this policy.

2.4 This policy should not be used for complaints relating to an individual's own personal circumstances, such as the way they have been treated at work. In such cases, individuals should use the Academy's Grievance Policy or Complaints Policy. Where a concern relates partly to an individual's own employment circumstances and partly to wider wrongdoing affecting others or the public interest, the Academy will determine the most appropriate procedure to follow and may deal with different aspects of the concern under different policies.

2.5 If an individual is uncertain whether something is within the scope of this policy, they are encouraged to seek advice from the HR Manager in the first instance (see section 10).

2.6 If an individual's concern is in relation to safeguarding and the welfare of the Academy's pupils, they should consider whether the matter is better raised under the Academy Child Protection and Safeguarding Policy and in accordance with the arrangements for reporting such concerns, although the principles set out in this policy may still apply.

3. Raising a Whistleblowing concern

3.1 If a member of staff has concerns that cannot be resolved by the usual route using other policies, they should utilise this procedure. HR advice will always be available via the HR Manager should a member of staff be undecided as to what is the most appropriate action to take.

3.2 Where an individual has reason to believe that underhand or illegal practices are taking place, the individual is encouraged to make his or her disclosure immediately.

3.3 The whistleblowing procedure has the following steps:

- The individual should raise their concern with their immediate line manager or SLT Lead. This may be done orally or in writing. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter. We will respect the confidentiality of the individual. The individual should make it clear if other procedure opportunities have failed and that the issue is now being raised under the Whistleblowing Policy and Procedure.
- In many cases the individual's line manager may be able to agree a way of resolving the individual's concern quickly and effectively.
- If the individual feels they cannot report the issue to their immediate line manager or SLT Lead or where the matter is more serious or the individual feels their concern has not been addressed, they should refer the case to the Whistleblowing Officer whose details can be found in section 10

3.4 The Whistleblowing Officer and a nominated Academy representative will arrange a meeting with the individual as soon as possible to discuss their concern. The individual may bring a colleague or union representative to any meetings under this policy. The companion must respect the confidentiality of the disclosure and any subsequent investigation.

3.5 The Academy will take down a written summary of the concern and provide the individual with a copy after the meeting. The Academy will also aim to provide an indication of how it proposes to deal with the matter.

4. Confidentiality

4.1 The Academy hopes that individuals will feel able to voice whistleblowing concerns openly under this policy. However, if an individual wishes to raise a concern confidentially, the Academy will make every effort to conceal their identity. If it is necessary for anyone investigating the concern to know the individual's identity, the Academy will normally discuss this with the individual first.

4.2 The Academy does not encourage individuals to make disclosures anonymously. Proper investigation may be more difficult or impossible if it cannot obtain further information. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the one of the contact points listed in section 10 and appropriate measures can then be taken to preserve confidentiality in so far as is practicable. If the individual is in any doubt, advice is available from Protect, the independent whistleblowing charity, which offers a confidential helpline. Their contact details are at the end of this policy.

4.3 Where anonymous complaints are received, they will be investigated as far as is reasonable, taking into account:

- The seriousness of the issue raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from other sources.

4.4 As part of the application of this policy, the Academy may collect, process and store personal data in accordance with our Data Protection Policy. The Academy will comply with the requirements of Data Protection legislation (being the UK General Data Protection Regulation and Data Protection Act 2018) and any implementing laws, regulations and secondary legislation, as amended or updated from time to time in the collecting, holding and sharing of information

in relation to the Academy workforce. Records will be kept in accordance with the Academy Privacy Notices, the Academy Retention Schedule and in line with the requirements of Data Protection legislation.

5. Investigation and outcome

5.1 Once an individual has raised a concern, the Academy will carry out an initial assessment to determine the scope of any investigation. The Academy will usually inform the individual of the outcome of the assessment. The individual may be required to attend additional meetings in order to provide further information.

5.2 In some cases, the Academy may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. In some circumstances an external person or body may be appointed to investigate the concern. The investigator(s) will collate findings on the matter and may make recommendations for change to enable the Academy to minimise the risk of future wrongdoing.

5.3 The Academy will aim to keep the individual who raised the concern informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Academy giving specific details of the investigation or any disciplinary action taken as a result. The individual should treat any information about the investigation as confidential.

5.4 If the Academy concludes that a whistleblower has made false accusations maliciously or with a view to personal gain, the whistleblower may be subject to disciplinary action.

6. If the individual raising the concern remains unsatisfied

6.1 While the Academy cannot always guarantee the outcome an individual may be seeking, it will try to deal with concerns fairly and in an appropriate way. By using this policy, individuals can help the Academy to achieve this.

6.2 If an individual has genuine concerns about how the Academy has handled their whistleblowing disclosure, they can write to the Clerk to the Governors (see Section 10). The Clerk may ask for another assessment to take place (see section 5.1) but does not have the authority to re-investigate the original complaint / disclosure.

6.3 Should an individual remain dissatisfied with the handling of their disclosure, they also have the freedom to report their concern directly to the Chair of the Governing Board. The Chair of the Governing Board has the authority to review the case paperwork and issue a final ruling or recommendation, as appropriate.

7. External disclosures

7.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases, an individual should not find it necessary to alert anyone externally.

7.2 The law recognises that in some circumstances it may be appropriate for an individual to report their concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. The Academy strongly encourages individuals to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. It also holds a list of prescribed regulators for reporting certain types of concern. Their contact details are at paragraph 10 of this policy.

7.3 Whistleblowing concerns usually relate to the conduct of Academy staff, but they may sometimes relate to the actions of a third party. In some circumstances, the law will protect an individual if they raise the matter with the third party directly where they reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, the Academy encourages individuals to report such concerns internally first. Individuals should contact their line manager or one of the other individuals set out in section 10.

8. Protection and support for Whistleblowers

8.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. The Academy aims to encourage openness and will support individuals who raise genuine concerns under this policy, even if they turn out to be mistaken.

8.2 Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an individual believes that they have suffered any such treatment, they should inform the HR Manager immediately. If the matter is not remedied, they should raise it formally using the Academy's Grievance Policy or Complaints Policy.

8.3 In instances where an allegation of such treatment involves the HR Manager, or a member of the HR Department, the individual should raise it with the Clerk to the Governors.

8.4 Members of staff must not threaten or retaliate against whistleblowers in any way. Any staff members involved in such conduct may be subject to disciplinary action. In some cases, the whistleblower could have a right to sue an individual personally for compensation in an employment tribunal.

8.5 Support is available to whistleblowers who raise concerns under this policy through the Academy Employee Assistance Programme (EAP) provided by Education Support.

9. What the Academy Asks of Whistleblowers

9.1. The purpose of this policy is to enable individuals to raise concerns in confidence, without any fear of reprisal; therefore, it is imperative that whistleblowers:

- Do not talk about the concern outside the Academy, unless it is to report the concern through the proper external channels, e.g. the LA or Ofsted.
- Declare any personal interest in the matter, as the policy is designed to be used in the interest of the public and not for individual matters.

10. Monitoring and review

10.1 The Director of Finance & Estates, in conjunction with the HR Manager, will monitor the use and effectiveness of the Whistleblowing policy.

10.2 The Policy will be promoted and implemented throughout the Academy.

11. Contacts

Whistleblowing Officer	Rachel Madge Telephone: 01529 301187 Email: rachel.madge@st-georges-academy.org
Chairman of the Board of Governors	Rebecca Courtaux Email: governance@st-georges-academy.org
Clerk to the Governors	Jo Balchin Email: governance@st-georges-academy.org
Protect (formerly Public Concern at Work) (Independent Whistleblowing charity)	Advice Line: 020 3117 2520 E-mail: whistle@protect-advice.org.uk Website: https://protect-advice.org.uk/
NSPCC Whistleblowing Advice Line	0800 0280285 help@NSPCC.org.uk
Education Support – Academy Employee Assistance Programme	08000 856 148

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Name G.h. Arnold ..... Signature .....

Committee: Finance + General Purposes