



Oakwood Community School

Whistleblowing Policy

Whistle Blowing

“if your not happy with how it’s being dealt”

Staff you have the right to make a referral to first response should you wish or feel the need to do so.

Put at its simplest, whistleblowing occurs when a staff member or other professional, employee or worker provides certain types of information, usually to the company or a regulating body, which has come to their attention through work. The whistleblower is usually not directly, personally affected by the danger or illegality, although they may be. Whistleblowing is therefore making a disclosure in the interest of young people or other adults and occurs when an employee or other professional, raises a concern about bad practice, danger or illegality that affects young people or others. All United Education Services staff are to follow the whistleblowing policy when there are concerns about any of the above. Disciplinary action may be taken against staff who fail to follow the procedure when there are reasons to do so.

Introduction

United Education Services is committed to delivering high quality services to its young people and customers and to that end expects high standards from its employees and contractors. In order to maintain those high standards a culture of openness and accountability is vitally important. The aims of this policy are threefold:-

- to encourage you to raise concerns about malpractice within the organisation without fear of reprisal;
- to reassure you that your concerns will be taken seriously;
- to provide information about how to raise your concerns and explain how the Company will respond

Scope of the Policy

This policy applies to all Company employees, former employees, agency staff, volunteers and contractors engaged by the Company.

What is whistleblowing?

In practical terms, whistleblowing occurs when a concern is raised about danger or illegality that affects others, eg. young people, members of the public or the Company itself. As the person blowing the whistle you would not usually be directly affected by the danger or illegality. Consequently you would rarely have a personal interest in the outcome of any investigation into your concerns.

This is different from a complaint or grievance. If you make a complaint or lodge a grievance, you are saying that you personally have been poorly treated. This poor treatment could involve a breach of your individual employment rights or bullying and you are entitled to seek redress for yourself.

Blowing the Whistle on Malpractice

Malpractice covers a wide range of concerns. The types of activity that should be disclosed include but are not limited to the following:-

- fraud or corruption
- financial maladministration
- unauthorised use of company funds
- the physical, emotional or sexual abuse of clients
- failure to comply with legal obligations
- endangering of an individual's health and safety
- damage to the environment
- a criminal offence
- failure to follow financial and contract procedure rules
- showing undue favour to a contractor or a job applicant
- miscarriages of justice
- deliberate concealment of information relating to any of the above

You should raise your concerns with your manager as soon as you suspect malpractice. Remember that the earlier you raise concerns the easier it will be to take action. You (the whistleblower) are a witness to events, not a complainant and so you do not need to wait for proof of malpractice before raising concerns.

When reporting a concern you should provide as much information and detail as possible. In particular you should provide the full names of the people involved or who know about what is happening, including the names of company employees or contractors, dates of events and any relevant documentation. This will help the investigator to focus their investigation on the main issues quickly.

There will be some cases where it is not appropriate for you to raise concerns with your manager, for example where you suspect your manager already knows about the malpractice and appears to be 'turning a blind eye', or where you suspect your manager may be involved. In those cases, you should report your concerns to the Headteacher or a Director of the company.

Initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. You will be advised whether an investigation takes place or not. When making a decision the Company will consider whether continuing with an investigation is in the public interest.

Advice and Support

The Company recognises that employees may wish to seek advice and support from their trade union before blowing the whistle. When any meeting or interview is arranged, you may wish to be accompanied by a trade union or professional association representative.

Confidentiality

The Company understands that you may be reluctant to come forward with information about the wrongdoing of a colleague or manager or indeed at all. As such, the Company recognises that whistleblowers may wish to raise concerns in confidence. If you (the whistleblower) make a request for the matter to be kept confidential then your identity will not be revealed without discussing the matter with you first.

Anonymous Allegations

You are encouraged to give your name when raising concerns. A concern expressed anonymously is much less powerful and is often more difficult to investigate. The decision whether to investigate an anonymous allegation will be made by the Headteacher in consultation with a Director. When making this decision they will take into account the seriousness of the issues raised, the credibility of what is being said and the likelihood of confirming the allegation from other sources.

Protection for the Whistleblower

All concerns raised under this procedure will be treated seriously and a decision made about whether or not an investigation is appropriate. Depending upon the nature of the matter it may be referred to the Local Authority, Safeguarding Children Board, auditor or the police. The person to whom you reported your concern will be responsible for keeping you informed about the progress of the investigation and the action that has been taken, although you may not be told the outcome.

In some cases the investigation may result in criminal or disciplinary proceedings. If this happens you may be invited to give a written statement or give evidence at a hearing. The Company will support you in this process and ensure that you are clear about what will happen.

The Company will not tolerate harassment or victimisation and will take action to protect you if you have raised a concern in good faith. Any employee who is found to have victimised or harassed an employee who has raised a concern will face disciplinary action.

Allegations not made in Good Faith

Concerns that are raised frivolously, maliciously, for personal gain or where they are known to be untrue may result in disciplinary action or, in the case of agency staff, the termination of the agency contract. In the case of contractors, the matter will be reported to the Company's relevant contract manager so that a decision can be made about the appropriate action to take.