

Herne Bay High School

Whistleblowing Policy

Policy reviewed by	K Eagle	Date of last review	June 2022	Date of next review	Sept 2023	Date of policy ratification by Governors	July 2022
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Purpose of Policy

This Policy aims to outline the procedure for raising any concerns that staff may have about any wrongdoing at any level. In this context, wrongdoing means there is a reasonable belief that there is a breach of a legal obligation, risk to health and safety, a criminal offence being committed, a miscarriage of justice occurring or likely to occur, damage to the environment or an attempt to conceal any of the above – and that disclosure is in the public interest.

The Academy encourages employees to raise any concerns that they may have about any wrongdoing at any level. Wrongdoing in this context means an employee has a reasonable belief that there is a breach of a legal obligation, risk to health and safety, a criminal offence being committed, a miscarriage of justice occurring or likely to occur, damage to the environment or an attempt to conceal any of the above - and that disclosure is in the public interest.

Any initial concern should be raised with the Principal. However, if it is not appropriate to raise your concern with your Principal then you should contact the Chair of Governors who will ensure that your concern is properly addressed.

Employees are expected to raise concerns internally however should it not be appropriate to do so using the normal management structure, you can use any of the contacts listed below: -

- Ofsted
- Local Authority Designated Officer (LADO) (for safeguarding matters)
- Department of Education (DfE)
- Education Skills and Funding Agency (ESFA)

Remember that to allow us to investigate and assess the situation it would be helpful to provide as much information as possible. We encourage you to put your name to allegations, as anonymous concerns are more difficult to investigate, and we want to be able to take any appropriate action to protect you and provide you with feedback.

Employees who raise a genuine concern under this policy are entitled not to be subjected to any detriment as a result. However, the employee must reasonably believe that the disclosure they are making is true.

How will the Academy respond?

Your concern will be assessed and what appropriate action will be considered. This may involve a formal review, an internal enquiry or a more formal investigation. You will be told who your point of contact is to be, what further assistance we may need from you, and agree a timetable for feedback. If you ask, we will write to you summarising your concern and setting out how we propose to handle it. If we have misunderstood the concern or if there is any information missing, please let us know.

When you raise the concern, please comment on how you think the matter might be resolved. Please tell us at the outset if you have any personal interest in the matter. If we think your concern falls within the Grievance Procedure or another relevant policy, you will be informed.

Regardless of what action may be appropriate in resolving your concern, we will not tolerate victimisation or harassment, and will take all necessary steps to protect you from any detriment.

Wherever possible, we will give you feedback on the outcome of any investigation. Please note, however, that we might not be able to tell you about the precise actions we take where this would infringe the duty of confidence we owe to other persons.

Whilst we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle the matter fairly and properly. By using this policy you will help us to achieve this.

External contacts

The aim of this policy is to provide an internal mechanism for reporting, investigation and remedying any wrongdoing connected to the Academy. In most cases the employee should not find it necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate for the employee to report his/her concerns to an external body such as a regulator. It will not be appropriate to alert the media. Employees are strongly encouraged to seek advice before reporting a concern to anyone external. If an employee is not satisfied with the Governing Body's response, the manager should ensure that they are made aware with whom they may raise the matter externally.

For concerns about the safety and welfare of students, the Safeguarding Policy provides details of who to contact: the Principal, the Chair of Governors or the Local Authority Designated Officer. Should staff not feel able to raise concerns they can call the NSPCC whistleblowing helpline on 0800 028 0285.

Even if your concern proves to be unfounded you will be protected against any reprisals from management, colleagues or any other employee of the Academy. Making a deliberately false allegation, however, against the Academy, a fellow employee or any other person will be treated as an act of gross misconduct which will usually result in dismissal.

If you are the subject of an allegation of wrongdoing, then you will be informed of the allegation and given every opportunity to explain the situation and put your side of the story. Disciplinary action will only be taken following a full investigation in accordance with the disciplinary procedure.

Matters of individual concern should be raised in accordance with the Grievance Procedure (Section 6.4) in the Employee Handbook.