



Fylde Coast Academy Trust

(FCAT)

Whistleblowing Policy
2016-2019

Policy Statement

Fylde Coast Academy Trust (FCAT) is committed to the highest possible standards of openness, probity and accountability. This whistleblowing policy and procedure supports this commitment.

Introduction

The Public Interest Disclosure Act 1998 was enacted to ensure a climate of greater frankness between employers and workers so that irregularities can be identified and addressed quickly, and to strengthen employment rights by protecting responsible workers who blow the whistle about wrongdoing or failures in the workplace. The policy set out in this document applies those statutory provisions relating to FCAT.

This Policy also applies to the Academy Council members, management and all staff.

This policy and procedure will be reviewed at least every 3 years and more frequently in the light of any further relevant legislation

Aims and Scope

This policy gives employees and others with genuine concerns about malpractice or wrongdoing a way to voice those concerns without fear of victimisation.

Often it is those closest to an organisation who realise that there is something wrong. Sometimes people are reluctant to act upon their concerns because they think that they are being disloyal, or because they are afraid that they might be victimised if they speak up.

There are existing procedures in place (e.g. Grievance, harassment and bullying) which make provision for employees to lodge a concern relating to their own employment. This whistleblowing policy is intended to complement those procedures by covering concerns that appear to fall outside their scope. Concerns may be about something that is:

- Unlawful, including financial or fraudulent malpractice such as embezzlement, bribery, corruption, dishonesty, etc.
- Against establishment standards of practice
- Improper conduct.

Concerns or allegations which fall within the scope of specific procedures, e.g. child protection or financial irregularities will normally be referred for consideration under those procedures.

The purpose of this policy is to provide employees with the help and support they need to speak up and be confident they can do so safely. FCAT will take concerns seriously and ensure that they are dealt with promptly and fairly.

How to raise a concern

Initial concerns should be raised with the Principal of an Academy. If the employee believes that the principal is implicated then the employee should approach the Chair of the Academy Council and FCAT directors.

Individuals are encouraged to raise any concern in person, or through their professional association / union representative on the individual's behalf, because concerns that are expressed anonymously are difficult to investigate. However, each Academy will exercise its discretion in deciding whether to investigate an anonymous allegation. The factors taken into account will include: -

- The seriousness of the issues raised;
- The credibility of the allegation; and
- The likelihood of being able to confirm the allegation from reliable sources.

In order to ensure the confidentiality of an individual's expression of concern it is recommended that a letter/written note is sent in a sealed envelope addressed to the Principal at the main Academy address clearly marked "Strictly Private and Confidential - To be opened by the addressee only". Written submissions do not have to be signed or named although the Principal may exercise her/his discretion not to investigate an anonymous complaint.

The Principal will aim to respond within 5 working days. The individual will be invited to an initial information gathering meeting to explain the concern. Individuals are entitled to take a friend, colleague or school professional association / union representative with them to the meeting.

Before the meeting, individuals are advised to write down what they consider the problem to be, giving names, dates and places where possible. If there are any other documents that might be helpful, these should be included.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within ten working days of a concern being raised, the Principal/Chair of Governors will write to the individual in confidence:

- Acknowledging that the concern has been received;
- Indicating how the academy proposes to deal with the matter;
- Giving an estimate of how long it will take to provide a final response;
- Informing of any initial enquiries that have been made;

- Information on staff support mechanisms
- If further investigation will take place and if not, why not.
- Every effort will be made to ensure that concerns are dealt with as speedily as possible and individuals are kept informed of progress made.

When a meeting is arranged, on/off-site, a trade union representative or a colleague can be asked to accompany.

How will the Academy treat whistle-blowers?

If an individual makes an allegation in good faith but it is not confirmed by the investigation, no action will be taken against the individual.

If an individual knowingly makes malicious allegations, a disciplinary investigation may be undertaken.

Disciplinary action will be taken against any member of staff who tries to stop another employee from raising a concern or who is responsible for any act of recrimination or victimisation against an employee who raises a concern.

Where an employee may have been party themselves to an act of possible misconduct or gross misconduct on which they are now 'blowing the whistle' this could be considered in mitigation. However, they are not exempt from disciplinary action.

Disciplinary action may be taken against employees if they contact the media with concerns about conduct at work without first following the steps set out in this policy.

FCAT will make every effort to protect an employee's identity when s/he raises a concern and does not want her/his name to be disclosed. It must be appreciated however, that the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence. Relevant trade unions and professional organisations have been consulted about this policy and procedure.

If an individual raises a concern, the individual will be given the opportunity to feed back any issues or problems experienced as a result. The purpose of this is to ensure that employees who have raised concerns in good faith do not suffer as a result.

How the matter can be taken further

This Policy is intended to provide you with an avenue within FCAT Academies to raise concerns. FCAT hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the organisation, the following are possible contact points, (this list is not exhaustive):

The Director of Children's Services (Blackpool)

The Health and Safety Executive

The Financial Services Authority

H M Customs and Excise

The Inland Revenue

The Police

The District Auditor

The Ombudsman

The Environment Agency