

Exemplar Whistle Blowing Policy

There are existing policies and procedures in place to enable staff to raise a grievance relating to their employment and a policy to ensure the working environment is free from harassment and bullying. This policy is intended to cover major concerns that fall outside the scope of these policies and procedures. These include:

- Conduct which a member of staff may consider to be a criminal offence;
- Disclosure relating to miscarriages of justice;
- Health and safety risks, including risks to the public as well as other staff;
- Possible fraud or corruption;
- Breaches of procedures;
- Environmental risks;
- Failure to comply with legal obligations;
- Sexual, physical or verbal abuse of children, parents, staff or any other behaviour which a member of staff genuinely finds unacceptable or inappropriate;
- Other unethical conduct;
- The deliberate concealing of information relating to any of the above matters.

In short, any serious concerns that a member of staff has about any aspect of their employment can be reported under this policy.

These procedures are in addition to any other statutory reporting procedures that may be applicable.

Protected Disclosure

The Protected Disclosures Act 2000 encourages employees to disclose and report information about serious wrongdoing in the workplace. This Act provides protection for these employees from criminal and legal retribution and outlines the internal procedure to be followed when investigating the matter.

In accordance with the Act, this policy makes it clear that staff can speak up without fear of harassment, victimisation (including informal pressure), discrimination or disadvantage. Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or other procedures that already affect the member of staff. There will be no 'come back' if a member of staff reasonably believes that they have made a disclosure in good faith.

Rules and Responsibilities

The Centre accepts that the decision to report a concern can be very difficult and uncomfortable. The Centre is committed to supporting individuals through the process and protecting them from any 'come back', victimisation or harassment. Concerns reported to the owners will be taken seriously and treated sensitively. Staff who genuinely believe that people they work with are behaving in a way that seems wrong or have a serious concern about an aspect of service will be doing their duty and acting in the public interest by speaking out.

How to raise a concern

The procedure seeks to encourage and enable individuals to disclose information through appropriate channels first, rather than going directly to an outside person or body. As a first step, concerns should normally be raised with the Manager. This depends however, on the seriousness and sensitivity of the issues involved and who is suspected of any wrongdoing. Staff can raise concerns with the owners or with the appropriate governing body, eg. Ministry of Education, as a third option.

Concerns may be raised verbally or in writing. Staff who wish to make a written report are advised to set out the background and history of the concern, giving names, dates and places, where possible, and the reasons for making the disclosure. This will make the investigation easier to complete.

Although a member of staff is not expected to prove beyond doubt the truth of the allegation, they will need to demonstrate that they have an honest and reasonable suspicion that malpractice has occurred, is occurring or is likely to occur.

Procedure

The Centre will respond to any concerns raised. In order to protect a member of staff who raises a concern and those accused of wrongdoing, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

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. Staff will be told how the company proposes to deal with a concern within ten working days of the concern being brought to the owner's attention.

Confidentiality

All concerns will be treated with confidence and every effort will be made not to reveal a staff member's identity, if they so wish. However, while making all reasonable efforts to maintain the confidentiality of the matter as a whole, at a certain stage in the investigation it will be necessary to make the origin of the complaint known to the person or persons the allegations concern. All concerns raised within the remit of this procedure will be assessed to determine if the confidentiality extends to withholding the name of the complainant. There shall be a substantial reason for doing so, such as a real risk of personal harm. Complainants should be aware however, that their identity may be revealed by inference.

Untrue Allegations

The Centre accepts that deciding to report a concern can be very difficult and uncomfortable. If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against him/her. If, however, a member of staff makes an allegation frivolously, maliciously, or for professional gain, disciplinary action may be taken against them.

If a member of staff does not feel confident to report their concerns to the manager, owners or board, they may take them to an appropriate organisation or body, eg. MoE.