

DOVE FEDERATION

THE WHISTLEBLOWING POLICY

1. INTRODUCTION

- 1.1. As a person working for the Dove Federation you may be the first to realise that there could be something seriously wrong with the Federation. However, you may feel that speaking up would be disloyal to your colleagues or the Federation. You may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.2. The Dove Federation is committed to the highest possible standards of openness, integrity and accountability. We expect employees and other that we deal with who have serious concerns about any aspect of the Federation's work to come forward and voice those concerns.
- 1.3. The purpose of this policy and the accompanying Whistleblowing Procedure is to make it clear that you can raise your concerns in confidence without fear of victimisation, subsequent discrimination or disadvantage. The Federation encourages you to raise serious concerns in the first instance WITHIN the Federation rather than overlooking a problem of 'blowing the whistle' outside and we would rather that you raised the matter when it is just a concern rather than waiting for proof.
- 1.4. You should continue to raise appropriate concerns with relevant external agencies such as the Health and Safety Executive, the Audit Commission and utility regulators.
- 1.5. The Policy and Procedure applies to all employees and those contractors working for the Federation on Federation premises for example, agency staff, builders and drivers. It also covers suppliers and those providing services under a contract with the Federation in their own premises for example, care homes or in the premises or another contractor including construction and other sites. The Policy also applies to organisations working in partnership with the Federation or Council.
- 1.6. The Policy has been prepared in response to the Public Interest Disclosure Act 1998 in accordance with Government and Local Government Association guidance on the issue and has been discussed with the relevant trade unions and has their support. The Procedure has the full support of the Joint Consultative and Negotiating Committee and Unison. Any changes, other than statutory, will be referred to the Joint Consultative and Negotiating Committee for consultation. The Policy has been formally adopted by the Federation and publicised widely to all those who may wish to use it.
- 1.7. The Federation recognises employees may wish to seek advice and be represented by their trade union representative when raising a concern under the Policy and acknowledges and endorses the role trade union representatives play in this area. Trade union representatives acting in accordance with Policy and Procedure will not suffer detriment in their employment with the Federation.

2. AIMS AND SCOPE

- 2.1. This policy aims to:
 - Encourage you to feel confident in raising serious concerns and to question and act upon concerns
 - Provide avenues for you to raise those concerns and receive feedback on any action taken
 - Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied

- Reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have raised any concern in good faith
- 2.2. There are existing procedures in place to enable employees to lodge grievances relating to their employment. The Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures including the corporate complaints procedure. This policy therefore includes your concerns about:
- Any unlawful act, whether criminal or breach of civil law
 - Maladministration – as defined by the Local Authority Ombudsman
 - Breach of any statutory code of practice
 - Breach of or failure to implement or comply with Financial Regulations or Standing Orders
 - Any failure to comply with professional standards
 - Fraud, corruption or dishonesty
 - Actions which are likely to cause physical danger to any person or to give rise to a significant risk of damage to property
 - Loss of income to the Federation
 - Abuse of power or abuse of the Federations power and authority for any authorised or ulterior purpose
 - Discrimination in employment or provision of education
 - Any other matter that staff consider that they cannot raise by any other procedure
 - Complaints relating to harassment of, or discrimination against any employee will be dealt with under the specific procedures relating to those matters
- 2.3. It is emphasised that this Policy and Procedure is intended to assist individuals who had discovered malpractice or serious wrong doing provided that they make the disclosure in accordance with the Policy. It is not designed to question financial or business decisions taken by the Federation nor may it be used to reconsider any matters which have already been addressed under the harassment, complaints or disciplinary procedures. Individuals who make disclosures outside of the arrangements set out here will not be protected under this Policy and may not be protected under the Act.
- 2.4. All employees are expected to adhere to this Policy and Procedure in line with their obligations under Equality Legislation. The Headteacher (or other appropriate manager) must ensure that all reasonable adjustments or supportive measures are considered to allow equality of access and opportunity regardless of age, gender, ethnicity, sexual orientation, disability, faith or religion, gender, identify, pregnancy or marital status.

3. THE FEDERATION'S COMMITMENT

- 3.1. The Federation is committed to good practice and high standards and want to be support of all employees.
- 3.2. The Federation recognises that the decision to report a concern can be a difficult one to make. If you raise your concern based on reasonable belief and in good faith you should have nothing to fear because you will be doing your duty to your employer and the public and The Public Interest Disclosure Act 1998 will protect you from dismissal or other detriment. If your concern is not confirmed by the investigation no action will be taken against you. If, however, you made an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

- 3.3. The Federation will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith, even if you are genuinely mistaken in your concerns. Any harassment or victimisation of a whistleblower may result in disciplinary action against the person responsible for the harassment or victimisation.
- 3.4. Any investigation into allegations arising from your whistleblowing will not influence or be influenced by any other personnel procedures to which you may be subject.

4. CONFIDENTIALITY

- 4.1. All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. If we are not able to resolve your concern without revealing your identity (e.g. because your evidence may be needed in Court) we will discuss this with you.

5. ANONYMOUS ALLEGATIONS

- 5.1. This policy encourages you to put your name to your allegation whenever possible
- 5.2. Concerns expressed anonymously are much less powerful but may be considered by the Federation taking into account:
 - The seriousness of the issue raised;
 - The credibility of the concern; and
 - The likelihood of confirming the allegation from the attributable sources
- 5.3. The Headteacher or Chair of Governors in each case whether a complaint made anonymously should be investigated.

6. HOW TO RAISE A CONCERN

- 6.1. If an employee is unsure whether or how to raise a concern they can contact the Independent Voluntary Organisation Concern at Work on 0207 404 6609 for guidance
- 6.2. The earlier an employee expresses concern the easier it is to take action
- 6.3. An employee is not expected to provide proof but they will need to demonstrate to the person contacted there are reasonable grounds for concern.
- 6.4. It is hoped that in most cases an employee will feel able to raise any concerns internally with the Headteacher, speaking to them in person or putting the matter in writing if they prefer. They may be able to agree a way of resolving a concern quickly and effectively. In some cases the matter may be referred to the Governing Body by the Chair of Governors, or County.
- 6.5. The Headteacher (or Chair of Governors or nominated Governor) will arrange a meeting with the employee as soon as practicable to discuss their concern. They will record sufficient details to enable the matter to be thoroughly investigated. As a minimum, they will record the name of the employee but also indicate whether the individual wishes his or her identity to remain confidential and the nature of the concern. In some cases, it will not be possible to maintain confidentiality and the Headteacher (or Chair of Governors or nominated Governor) should explain this to the employee. In such instances, the employee will have the choice of either withdrawing or agreeing to his/her identity becoming known to enable the concern to be effectively dealt with.
- 6.6. The employee may bring a colleague or trade union representative to any meetings under this Policy. The colleague or trade union representative must respect the confidentiality of the disclosure and any subsequent investigation

- 6.7. The Headteacher (or Chair of Governors or nominated Governor) will take notes and produce a written summary of the concern raised and provide the employee with a copy as soon as practicable after the meeting along with an indication of how they propose to deal with the matter where possible.
- 6.8. If a concern against a Governor is received then this will be treated in the same way as any other concern. It will receive the same serious consideration. Such a concern would normally be raised with the Chair of Governors who will decide how it will be dealt with.
- 6.9. If the concern is against the Chair of Governors, it should be taken to the Headteacher who will consider, with the Governor responsible for whistleblowing (where appropriate) how it should be dealt with. In these cases it would be advisable for guidance to be sought from the Local Authority.

7. EXTERNAL DISCLOSURES

- 7.1. The aim of this policy and procedure is to provide an internal mechanism for reporting, investigating and remedying any wrong doing in the workplace. In most cases employees should not find it necessary to alert anyone external.
- 7.2. The law recognises that in some circumstances it may be appropriate for employees to report their concerns to an external body such as a regulator. It will very rare, if ever, be appropriate to alert the media. Employees are strongly encouraged to seek advice before reporting a concern to anyone external. Public Concern at Work referred to in paragraph 6.1 above operates a confidential helpline and they have a list of prescribed regulators for reporting certain types of concern.
- 7.3. Whistleblowing concerns usually relate to the conduct of a Federation employee but they may sometimes relate to the actions of a third party such as a service provider. The law allows employees to raise a concern in good faith with a third party where the employee reasonably believes it relates mainly to the third party's actions or something that is the third party's responsibility. Employees are however, encouraged to report such concerns internally first as outline in 6 above.

8. INVESTIGATIONS AND OUTCOME

- 8.1. Once an employee has raised a concern the Headteacher (or Chair of Governors or nominated Governor) will carry out within 10 working days an initial assessment to determine the scope of any investigation. The employee will be informed of the outcome of this assessment. The employee raising the concern may be required to attend additional meetings in order to provide further information.
- 8.2. In some cases, the Headteacher (or Chair of Governors or nominated Governor) may consider it appropriate to refer the concern to an external agency for consideration in advance of any internal investigation. This may be appropriate where concerns about child safeguarding, potential criminal activity or unsafe working practices are raised. Where this is deemed appropriate, no further internal investigation should be undertaken until clearance is given.
- 8.3. In most cases a panel of three Governors will investigate any issue. In rare cases the school may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the school to minimise the risk of future wrongdoing.
- 8.4. The Headteacher (or Chair of Governors or nominated Governor) will aim to keep the employee informed of the progress of the investigation and likely timescale. Sometimes

the need for confidentiality may mean that the employee cannot be given specific details of the investigation or any disciplinary action taken as a result. The employee is required to treat any information about the investigation as strictly confidential.

- 8.5. If it is concluded that an employee has made false allegations maliciously, in bad faith or with a view to personal gain they will be subject to disciplinary action under the school's disciplinary policy and procedure.
- 8.6. Whilst it cannot always be guaranteed that the outcome will be in line with the employee's expectation, concerns will be dealt with fairly and in an appropriate way. If an employee is not happy with the way their concern has been handled they can raise it with the Chair of Governors.
- 8.7. There is no right of appeal against any decisions taken under this policy and procedure. The employee or the Headteacher will have the right to refer any particular case to the nominate Governor for Whistleblowing for review.

9. PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

- 9.1. It is understandable that an employee may be worried about possible repercussions. Employees are encouraged to be open and will be supported where genuine concerns are raised in good faith under this policy and procedure even if they turn out to be mistaken.
- 9.2. Employees must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment would include dismissal, disciplinary action, threats or other unfavourable treatment connected with with raising a concern. If an employee believes that they have suffered any such treatment they should inform the Headteacher immediately. If the matter is not remedied the employee should raise it formally using the school's grievance policy.
- 9.3. No employee should threaten or retaliate against a whistleblower in any way. Any individual involved in such conduct will be subjected to disciplinary action.
- 9.4. All employees are responsible for the success of this policy and procedure and should ensure that they use it to disclose any suspected danger or wrong doing. Employees are invited to comment on this policy and procedure and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Headteacher in the first instance.
- 9.5. The Federation will do what it can to minimise any difficulties which an employee may experience as a result of raising a concern. For instance if they are required to give evidence in criminal or disciplinary proceedings the Federation will arrange for them to receive advice about the procedure and other appropriate support.

10. CHILD SAFEGUARDING

- 10.1. If an employee suspects that there is a serious safeguarding issue that they feel is not being taken seriously by the Headteacher or if there is a serious safeguarding issue involving the Headteacher they should in the first instance contact the designated Governor for Child Protection.

11. RESPONSIBILITY FOR THE POLICY

- 11.1. The responsibility for the effectiveness and efficiency of this policy and procedure rest with the Governing Body. The Governing Body will be advised about and maintain records of the concerns raised and the outcomes in a form which does not endanger confidentiality and will report if necessary to the Local Authority.

Reviewed: November 2018

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