

Whistle Blowing Policy

1. Introduction

1.1 At Innovation Pod, we are committed to the highest possible standards of openness, probity and accountability and we encourage staff and others working with us to raise any concerns about any aspect of our work to come forward and voice those concerns. In some instances, concerns may need to be expressed on a confidential basis.

1.2 Staff must acknowledge their individual responsibility to bring matters of concern to the attention of senior leadership and/or relevant agencies. This procedure encourages staff to raise serious concerns, without fear of reprisal or victimisation, within our company, the schools that we are working in and the LA (Local Authority) rather than over-looking a problem or raising the matter outside.

1.3 It is recognised that whistle blowing may engender feelings of disloyalty to colleagues or that staff may fear harassment or victimisation. These feelings, however natural, must never result in the behaviour that is causing concern, continuing.

2. What is whistleblowing?

2.1 Whistleblowing is where a worker reports suspected wrongdoing at work. This is officially called, making a "qualifying disclosure" in the public interest. A worker can report things that fall within the scope of matters set out below:

- a) that a criminal offence has been committed, is being committed or is likely to be committed,
- b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which they are subject,
- c) that a miscarriage of justice has occurred, is occurring or is likely to occur,
- d) that the health or safety of any individual has been, is being or is likely to be endangered,
- e) that the environment has been, is being or is likely to be damaged, or

f) that information tending to show any matter falling within any one of the preceding paragraphs has been or is being or is likely to be deliberately concealed.

2.2 If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the company's activities (a whistleblowing concern) you should report it under this policy.

2.3 When an individual wishes to raise a concern, he, she or they will need to identify the concerns they have.

2.4 Immunity from Disciplinary Action

2.4.1 If a worker brings information about a wrongdoing to the attention of their employers, they are protected in certain circumstances under the Public Interest Disclosure Act (PIDA) 1998. This policy does not provide a worker with immunity from disciplinary action and they cannot rely on the protection afforded by the policy if they have:

- > undertaken inappropriate or unethical conduct; failed to comply with the Council's policies, procedures or Standing Orders; legislation or statutory regulations;
- > being responsible for the misuse of public office or public funds;
- > committed fraud, corruption or other conduct which is an offence or a breach of law;
- > made the disclosure without good faith or without believing it to be substantially true;
- > made the disclosure for personal gain.

Under the Enterprise and Regulatory Reform Act 2013, workers must also make disclosures in the reasonable belief that doing so was in the public interest in order to enjoy protection under PI DA.

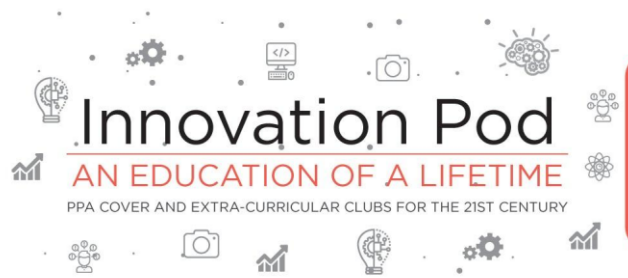
2.5 ANONYMOUS ALLEGATIONS

2.5.1 No protection is provided by this policy or PIDA to a worker who makes anonymous allegations. Concerns expressed anonymously will be considered at the discretion of the Council.

3 AIMS & SCOPE OF THE POLICY

3.1 To encourage and enable any person to feel confident in raising serious concerns and to question and act upon concerns as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected and;

- a) To provide staff with guidance on how to raise those concerns;



b) To reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

3.2 This Policy reflects the company's current practices and applies to all individuals working at all levels of the organization (collectively referred to as "Staff" in this policy) who are advised to familiarise themselves with its content.

4 WHO TO CONTACT

4.1 Our employees work for our company but are based in schools which have their own whistleblowing policy. Depending on who the allegation refers to, our staff may need to raise their concerns to the Headteacher of the school or the Managing Director of our company. If you are unsure then you can speak to either persons.

4.4 Concerns must be raised in writing and should include the following information:

- > the background and history of the concern (giving relevant dates);
- > the reason why the worker is particularly concerned about the situation.

4.5 The earlier a worker expresses their concern the easier it will be to take action.

4.6 Although workers are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate that there are reasonable grounds for their concerns.

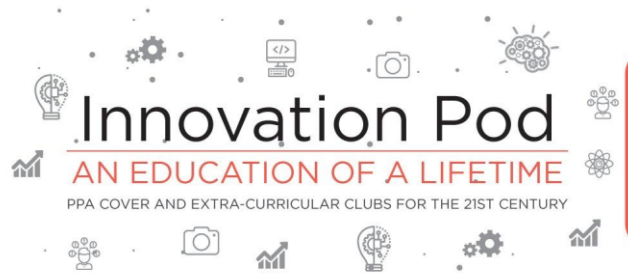
4.7 If a worker ultimately feels that they have to take the matter externally, they may contact Public Concern at Work on 020 7404 6609. Public Concern at Work is a registered charity whose services are free and strictly confidential.

SECTION 2: PROCESS

1. OUTLINE OF PROCEDURE/INVESTIGATION

Innovation Pod hopes that in many cases staff will be able to raise any concerns in writing to their Line Manager stating that they are raising their concern under this policy. They may be able to agree a way of resolving a concern quickly and effectively.

1.2 An investigating officer will be appointed or a team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. Depending on whether the concern is related to a particular school, Innovation Pod will liaise with the school immediately.



1.3 A meeting will be arranged with the 'whistleblower' as soon as practicable to discuss their concern and record sufficient details to enable the matter to be thoroughly investigated. As a minimum, the name of the employee will be recorded, but it also needs to be established whether the individual wishes his or her identity to remain confidential.

1.4 The Investigator will take notes and produce a written summary of the concern raised and provide the 'whistleblower' with a copy as soon as practicable after the meeting. The company will also aim to give the "whistleblower" an indication of how it proposes to deal with the matter.

1.5 If the investigating officer determines there is no substance to the allegations and it can be established that a 'whistleblower' has made false allegations maliciously, in bad faith or with a view to personal gain, the 'whistleblower' may be subject to separate action under the company's Disciplinary Policy.

1.6 Whilst it cannot always be the guaranteed outcome a particular member of staff is seeking, the Investigating Officer will try to deal with the concern fairly and in an appropriate way. If a member of staff is not happy with the way in which his or her concern has been handled, he or she can raise it with one of the other key contacts of the company.

SECTION 3: GENERAL INFORMATION

1. SUPPORT FOR 'WHISTLEBLOWER'S

1. It is recognised that the decision to raise a concern can be difficult, not least because of the fear of reprisals.

1.2 Any harassment or victimisation will not be tolerated and action will be taken to protect individuals who raise concerns.

1.3 No information will be released regarding the identity of a whistleblower to any person within the company. Information will only be released to the appropriate person when there is a legal requirement to do so, e.g. a court order. The only exception to this shall be where the whistleblower themselves gives written permission to do so.

1.4 Where a whistleblower alleges they are/have been victimised/harassed as a result of raising a concern the matter shall be reported to the appropriate person, please refer to the section marked 'Who to Contact'.

1.5 Anyone found to have victimised or harassed someone who has made a referral under this policy will normally be subject to a disciplinary process.

1.6 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the company. In exercising this discretion, the factors to be taken into account would include:

- a) Seriousness of the issue;
- b) Credibility of the concern ;
- c) The weight of the evidence;
- d) Likelihood of being able to obtain the necessary information.

2. HOW TO RESPOND TO WHISTLEBLOWING CONCERN

2.1 The receiver of the whistleblowing concern may need to seek HR advice on how to manage the process.

2.2 The action taken will depend on the nature of the concern. Where appropriate, the matters raised may:

- a) be investigated by management, internal audit, or other appropriate person
- b) be referred to the external auditor
- c) be referred to the police
- d) form the subject of an independent inquiry.

2.3 In order to protect individuals, an initial investigation will be carried out to decide whether a full investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures, for example, child protection or discrimination etc will normally be referred for consideration under those procedures.

2.4 The person raising the concern will be notified as soon as possible, certainly within 7 working days:

- a) acknowledging that the concern has been received,
- b) indicating how it is proposed to deal with the matter,
- c) giving an indication of when a final response or update will be provided

- d) telling the person whether any initial enquiries have been made
- e) supplying the person with information on staff support mechanisms, and
- f) telling the person whether further investigations will take place and, if not, why not
- g) advised to contact their union and the employee assistance programme for support.

2.5 Steps will be taken to minimise any difficulties, which a person may experience as a result of raising a concern. Support and advice will also be provided, should they be required to give evidence, e.g. at a disciplinary hearing.

3. SAFEGUARDING

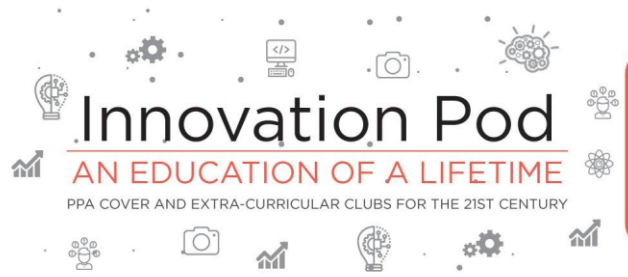
If a member of staff suspects that there is a serious safeguarding issue which they feel the Managing Director is not taking seriously or that they believe there is a serious safeguarding issue involving the Managing Director, they should refer the matter to the police.

4 HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide a worker with an avenue within the company to raise concerns, and hopes that the worker will be satisfied with any action taken. However if they are not, and they feel it is right to take the matter outside the company, the following are possible contact points:

- > Public Concern at Work (020 7404 6609), a registered charity whose services are free and strictly confidential;
- > your local Citizens Advice Bureau;
- > relevant professional bodies or regulatory organisations;
- > a relevant voluntary organisation;
- > the police.

5.4 If a worker does take the matter outside the company, they should ensure that they do not disclose confidential information.



6 RECORDS

The company is required to keep a register of Public Interest Disclosure (Whistleblowing Register) which should only be accessible the Managing Director due to the confidential nature of the allegations and who they are against.