



The Complete Works Policies

22 Whistle Blowing Policy

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WHISTLE BLOWING **(PUBLIC DISCLOSURE ACT 1998)**

Definition

Whistleblowing is when the employee knows, or suspects, that there is some wrongdoing occurring within the organisation and alerts the employer or the relevant authority accordingly.

Employees who whistleblow are protected by the Public Disclosure Act 1998.

The company encourages reporting to the CEO / Headteacher or Trustees of all matters of serious concern involving a member of staff, and for persons to feel that they can do so freely and without fear of reprisals or intimidation.

Although this list is not exhaustive, examples of situations in which it might be appropriate for an employee to report a wrongdoing include:

- A breach, or potential breach, of health and safety legislation
- Financial irregularities
- Harassment of a colleague, client or other individual
- Damage to the environment
- The committing of a criminal offence
- Professional malpractice
- Abuse of a client

Action to be taken by the Company

Where an incident of serious concern is alleged the person making the allegation must report this directly to the CEO / Headteacher. You will be assured that appropriate enquiries will be made to establish the nature / reality of the incident and that such enquiries will be carried out discreetly and in confidence. Wherever possible, the identity of the person reporting the allegation of wrongdoing will be kept anonymous.

The person who has raised the issue of wrongdoing will be kept informed of any investigation that is taking place. You will also be kept informed of the outcome of the investigation. It might not always be appropriate to tell you the details of any action that is taken, but you will be informed if action is taken.

If the alleged concern is of a Safeguarding or Child protection nature, TCW School Safeguarding policy will be followed.

Where preliminary enquiries show that further investigations need to be made then the CEO / Headteacher will inform the staff member against whom the allegations have been made.

Where the alleged offence is of a serious nature, the staff member at the centre of the allegation may be suspended immediately on full pay pending the outcome of the investigation. The staff member will be informed of the necessity for this action and will be assured that, at this point, there is no implication of guilt.

Alerting external bodies to a potential wrongdoing

You should always, in the first instance, talk to the CEO / Headteacher about potential wrongdoing. If you are not satisfied with the response you are entitled to contact a relevant external body to express the concerns. In doing this you should:

- Have a reasonable belief that the allegation is based on correct facts
- Ensure that personal gain is not the motivation behind your actions
- Making the disclosure to a relevant body

A “relevant body” is likely to be a regulatory body (e.g. the Health and Safety Executive, Local Safeguarding Board or the Financial Services Authority).

Contacting the media

The media is not a relevant external body. Employees should not contact the media with allegations about the organisation.

Protection against detriment

Any employee who takes action under the Public Disclosure Act 1998 will be protected from any detriment in relation to any allegations that are made.

If the employee does not follow the procedure set out, which encompasses the requirements of the Public Disclosure Act 1998, the protection against detriment will not apply. Disclosing information in an inappropriate way (e.g. contacting the media) could result in disciplinary action being taken against the employee, which could include dismissal.

Where whistleblowing is found to be vexatious and has been brought out of spite, or for some other unacceptable motive, the whistle-blower will be subject to the company’s disciplinary procedure, as will any witnesses who have deliberately misled the company during its investigations.