



Fairfield Farm College

Whistle Blowing Policy

Policy number	New or Reviewed	Date of next review	Responsibility
P008	September 2017	September 2019	Principal

To provide young people with opportunities to be successful and make a positive contribution within their community.

Statement: Staff should note that this policy will apply where a disclosure is made in good faith and where they reasonably believe that the information given and any allegation contained in it are substantially true. However, if a disclosure is made without foundation and which contains information that staff do not substantially believe to be true, or if the disclosure is made for personal gain, then such a disclosure will constitute a disciplinary offence and will be addressed in accordance with the guidance shown the Employee Handbook. This may result in gross misconduct for which summary dismissal is sanctioned.

1. Introduction.

1.1. This policy should be read in conjunction with the following Fairfield Farm College (FFC) documents:

- Staff Codes of Professional Practice
- Students Codes of Behaviour
- Equality and Diversity Policy
- Safeguarding Policy
- Anti Bullying Policy
- Child Protection Policy
- Protection of Vulnerable Adults Policy
- E Safety Policy
- Complaints Policy

2. Definition

- 2.1. Whistle-blowing is the passing on of information by a person (the whistle blower) to a person in authority or someone who has responsibility for the management or regulation of the organisation and/or the welfare of the students and/or staff within the organisation. The information should be directly related to the business of the organisation, its staff (including volunteers) or students.
- 2.2. FFC is committed to being open, honest and accountable. It promotes high standards and wants people to feel able to raise any serious concerns.
- 2.3. Members of staff may be the first to spot anything that is seriously wrong within FFC. However, they might not say anything because they think this would be disloyal or they might be worried that their suspicions are not justified. They may also be worried that they, or someone else, may be victimised.
- 2.4. Members of the public, students, parents/carers associated professionals may also have concerns. This whistle-blowing policy is to help staff (including volunteers) and other people to contact us with their concerns.
- 2.5. This policy aims to make sure that if anyone wants to raise any concern, they can do so with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

3. Action covered by the policy

- 3.1. This policy is intended to deal with serious or sensitive concerns such as the following:
- fraud or corruption
 - students or residents in the College's care being unfairly treated
 - unauthorised use of Charity money
 - an unlawful act
 - any danger to health and safety
 - the environment being damaged
 - a person abusing their position for any unauthorised use or for personal gain
 - a person deliberately not keeping a College policy, an official code of practice or any law or regulation
 - a person failing to meet appropriate professional standards
 - a person being discriminated against because of their Protected Characteristics (for definition see Equality and Diversity policy) as defined in the Equality Act 2010
- 3.2. Concerns may be about a member of staff, a student and/or their family, suppliers, or people who provide services for FFC.
- 3.3. Feedback will usually be given on the progress and outcome of any investigation.

4. Who to approach with concerns

- 4.1. Concerns are best put in writing giving as much information as possible - including any relevant names, dates, places etc. The earlier a concern is raised, the easier it is likely to be able to take effective action.
- 4.2. Although the allegation does not need to be proven beyond the shadow of a doubt, the Whistle-blower will have to show the Senior Management Team (SMT) that there are good reasons for raising a concern.
- 4.3. Students should tell their Key Worker or Personal Tutor, or any member of staff that they choose. Any member of staff who has a concern reported to them by a student must inform the Director of HR and Workforce Development, preferably in writing.
- 4.4. Staff who have concerns should tell the Director of HR and Workforce Development who should inform the Principal, preferably in writing. If staff concerns involve or relate to the Director of HR and Workforce Development, staff should inform the Principal directly.
- 4.5. Parents/carers associated professionals should tell a member of the college staff who should then inform a member of the SMT, preferably in writing.
- 4.6. If the concern relates to the Principal or a Trustee, the Chair of the Board of Trustees should be informed. Should the concern relate to the chair of the Board of Trustees the matter should be referred to another member of the Board.

4.7. The CEO/Principal and SMT can be contacted directly in any of the following ways:

by writing to the CEO/Principal, Vice Principal, Director of HR and Workforce Development, Director of Education or Director of Care:

Fairfield Farm College
Dilton Marsh
Westbury
Wiltshire
BA13 4DL
(mark the envelope "Private and Confidential")

by telephoning the:

CEO/Principal on 01373 866062
Vice Principal 01373 866060
Director of HR and Workforce Development 01373 866063
Director of Education 01373 866069
Director of Care 01373 866068

5. How to take the matter further

5.1. FFC hopes that anyone who raises a concern will be satisfied with any action taken. If not, the matter may need to be taken further by contacting any of the following:

- Charity's external auditor
- Charity Commission
- Local Citizen's Advice Bureau
- Education and Skills Funding Agency
- Local Authority
- Ofsted
- Care Quality Commission (CQC)
- Police

5.2. Independent advice or support can be obtained from an organisation called 'Public Concern at Work', <http://pcaw.co.uk/>

5.3. If the matter is taken outside FFC, care should be taken that confidential information is not revealed to unauthorised personnel.

6. What is not covered

6.1. This policy cannot be used to deal with serious or sensitive matters that are covered by other college policies:

- Allegations/disclosures of abuse should be addressed through the FFC Child Protection or Protection of Vulnerable Adults Policies
- Staff complaints about their employment should be addressed through the FFC Complaints Policy
- Complaints about service provided by FFC should be addressed through the Complaints Policy

6.2. This policy cannot be used to raise issues that have already been settled through other procedures.

7. Protecting the Whistle-blower

7.1. If the allegation is true, there is nothing to fear. FFC understands how difficult it is to decide to blow the whistle and is committed to supporting anyone who is concerned about the welfare of students and staff and the integrity and reputation of the college.

7.2. If a concern is raised which is believed to be true, appropriate action under the Public Interest Disclosure Act 1998 will be taken to protect the Whistle-blower from any harassment, victimisation or bullying.

7.3. Concerns will be kept confidential if requested and identity of the Whistle-blower will not be revealed without permission or unless FFC has to do so by law. This will be explained when a concern is raised, so the whistle blower can decide whether or not to proceed.

7.4. If the Whistle-blower is an employee of FFC, any allegation made will not influence, or be influenced by, any unrelated disciplinary action or any redundancy procedures that are current.

8. Anonymous allegations

8.1. Because protection is offered as explained above, FFC encourages Whistle-blowers to give their name when an allegation is made. Concerns raised anonymously tend to be far less effective and if, for example, there is not enough information, FFC may not be able to investigate the matter at all.

8.2. If the Whistle-blower feels that they cannot give their name, the SMT will decide whether or not to consider the matter. This will depend on:

- the seriousness of the matter
- the evidence available
- whether an investigation can be carried out based on the information provided.

9. Untrue allegations

9.1. If an allegation is made which is believed to be true, but it is subsequently not confirmed by FFC investigation, no action will be taken against the Whistle-blower.

9.2. However, if an allegation is made which the Whistle-blower knows to be untrue, appropriate disciplinary or legal action will be taken.

10. Responses to the Concern

10.1. The way FFC deals with the concern and the support provided to the Whistle-blower will depend on the circumstances.

- 10.2. Enquiries will be made to decide whether an investigation should be carried out, and if so, how to proceed. Throughout all enquiries and any investigation, the priority will be the best interests of the students.
- 10.3. The concern may be investigated by members of the CEO/Principal and/or the Trustees or it may be referred to:
- the police
 - other agencies
 - the Charity's external auditor
 - an independent investigator
 - Lloyds Employment Law Consultancy.
- 10.4. If the concern or allegation relates to another procedure or policy, it will be referred to the relevant person and the Whistle-blower will be informed.
- 10.5. After discussion with the Whistle-blower the College may be able to settle some concerns without carrying out an investigation.
- 10.6. If urgent action is needed, this will be done before carrying out any investigation.
- 10.7. Within 10 working days of a concern being raised, the SMT will:
- acknowledge to the Whistle-blower that a concern has been received
 - explain how the matter will be handled
 - tell the Whistle-blower what support is available.
- 10.8. Further time-scales cannot be set as they are dependent on the nature of the allegation and the type of investigation needed.
- 10.11. The amount of contact the Whistle-blower has with the SMT will depend on the nature of the concern, the potential difficulties involved, and the clarity of the information given.
- 10.12. The Whistle-blower can be accompanied by a friend or a colleague to any meetings that are necessary. Meetings with the SMT will normally take place at FFC but can be arranged elsewhere. Meetings are not arranged in the Whistle-blower's own home unless there are exceptional circumstances.
- 10.13. Steps will be taken to reduce any difficulties experienced by the Whistle-blower as a result of raising a concern. For instance, if evidence is needed in criminal or disciplinary proceedings, arrangements will be made for the Whistle-blower to be given advice on the procedure.

BY ORDER OF THE BOARD

Dr Tina Pagett
CEO/Principal
September 2017