

Committee and Date Approved	Trust Board	October 2023
Category	Statutory - DfE	
Next Review Date	Annually	Autumn 2024

Contents

Introduction3
.....3
Reporting concerns to the school/Trust3
Wider disclosure3
Confidentiality4
Anonymous allegations.....4
False allegations.....4
Responding to a concern5
Whistleblowing procedures5
 The role of the whistleblower5
 Role of the leadership team.....6
...../F1 12 Tf1 0 28871 ti>BDC q0.00000rETQq0.000008871 0 595.32 841.92 reW*nQ EMC





- x you have previously made a disclosure of substantially the same nature.

We urge staff who take their concerns to external agencies to be careful not to disclose any confidential information. Information that is confidential and should therefore not be disclosed should be outlined in your contract of employment. **Note: it is against the law to publish any information which may lead to the identification of a worker who is subject to an allegation.**

The authorities that may be of help to you are:

- x
- x Police
- x NSPCC
- x Health & Safety Executive
- x Audit Commission
- x Local Citizens Advice Bureau
- x Relevant professional bodies or regulatory organisations
- x Department for Education/ESFA
- x Ofsted

Confidentiality



The Trust may take disciplinary action against staff who make claims that are found to be knowingly false, malicious, vexatious or for personal gain.

Responding to a concern

The Trust will investigate all allegations and concerns thoroughly, but the act of investigation does not indicate that the Trust has accepted the allegations as true.

Usually, the first course of action will be one of the following:

- x an investigation by managers, internal audit, or through the disciplinary process
- x an investigation under other procedures such as child/adult protection
- x an investigation under procedures designed to deal with allegations made against professionals
- x a referral to the police
- x a referral to the external auditor or other external investigation
- x

The decision and progress of the case will be reported back to the leadership member involved, and this will be reported by them to the whistleblower.



External Contacts

Acas

Telephone: 0300 123 1100

Public concern at Work

Whistleblowing Advice Line: 020 7404 6609

General enquiries: 020 3117 2520

National Audit Office

Whistleblowing enquiries: 020 7798 7999

General Fraud and Corruption enquiries: 020 7798 7264



Key Staff involved in the policy/procedure

Role	Name(s)
Head of Centre	. J T T . P J S B (S F F O
Senior Leader(s)	. J T T # F M M . S T) 1 B S X B O B . S 5 % B M Z
Examinations Officer	. J S T + (J M M

Introduction

Whistleblowing at 4 I J S F M B O E \$ P M M F H J B U F " D B E F N Z is encouraged, and staff are made aware that they have a duty to report any concerns they have about the conduct of examinations.

The head of centre and Trust Board at 4 I J S F M B O E \$ P M M F H J B U F " D B E F N Z aim to maintain an approach to examinations that reflects an ethical culture, and encourages staff and students to be aware of and report practices that could compromise the integrity and security of examinations.

In compliance with section 5.11 of the - & 4 13 General Regulations for Approved Centres¹, 4 I J S F M B O E \$ P M M F H J B U F " D B E F N Z

- x take all reasonable steps to prevent the occurrence of any malpractice (which includes maladministration) before, during and after assessments have taken place
- x inform the awarding body immediately of any alleged, suspected or actual incidents of malpractice or maladministration, involving a candidate or a member of staff, by completing the appropriate documentation
- x as required by an awarding body, gather evidence of any instances of alleged or suspected malpractice (which includes maladministration) in accordance with the JCQ publication Suspected Malpractice: Policies and Procedures and provide such information and advice as the awarding body may reasonably require

This policy requirement has been added within General Regulations for Approved Centres in response to the recommendations within the report of the Independent Commission on Examination Malpractice.

This policy sets out the whistleblowing procedures at 4 I J S F M B O E \$ P M M F H J B U F " D B E F N Z and has been produced by Shireland Collegiate Academy Trust in conjunction with the Centre Heads who are also members of the senior leadership team and responsible for handling any cases of whistleblowing. Centre Heads are fully aware of the contents of this policy and will escalate any instances of malpractice to the relevant awarding body/bodies.

This policy also sets out the principles which allow members of centre staff and students to feel confident in reporting instances of actual, alleged or suspected malpractice to relevant members of senior leadership.



Purpose of the policy

This policy:

encourages individuals to raise concerns, which will be fully investigated by appropriately trained and experienced individuals

- x identifies how to report concerns
- x explains how such concerns will be investigated



- x Unfair treatment of candidates by either giving an advantage to a candidate/group of candidates (e.g., by permitting a candidate an access arrangement which is not supported by appropriate evidence), or disadvantaging candidates by not providing)
- x Possible fraud and corruption (e.g., accessing the exam paper prior to the exam to aid teaching and learning)
- x Abuse of authority (e.g., the head of centre/members of the senior leadership team overriding JCQ and awarding body regulations)
- x Other conduct which may be interpreted as malpractice/maladministration

Whistleblowing procedure

If the individual does not feel safe raising the issue/reporting malpractice within the centre, or they have done so and are concerned that no action has been taken, that individual could consider making their disclosure to a malpractice expert at the awarding body for the qualification where malpractice is suspected

For members of centre staff, it is likely that the Public Interest Disclosure Act (PIDA) offers you legal protection from being dismissed or penalised for raising certain serious concerns ng rights under PIDA are day one rights. This means

employment rights.

In order to investigate concerns effectively, the awarding body should be provided with as much information as possible/is relevant, which may include:

- x The qualifications and subjects involved
- x The centre involved
- x The names of staff/candidates involved
- x The regulations breached/specific nature of suspected malpractice
- x When and where the suspected malpractice occurred
- x Whether multiple examination series are affected
- x If the issue has been reported to the centre and what the outcome was
- x How the issue became apparent

Members of the public are not protected by PIDA, but the awarding body will make every effort to protect their identity if that is what they wish, unless the awarding body is legally obliged to release it.

Alternatively, a worker could consider making a disclosure to Ofqual as a prescribed body for whistleblowing to raise a concern about wrongdoing, risk or malpractice.

Anonymity

In some circumstances, the whistleblower might find it difficult to raise concerns with the nominated member of the senior leadership team. If a concern is raised anonymously, the issue may not be able to be taken further if insufficient information has been provided. In such instances, and if appropriate, the allegation may be disclosed to a union representative, who could then be required to report the concern without disclosing its source. Alternatively, whistleblowers or others with concerns about potential malpractice can report the matter direct to Ofqual, who ². Awarding

organisations are not prescribed bodies under whistleblowing legislation; however, awarding organisation investigation teams do give those reporting concerns the opportunity for anonymity.

A whistleblower can give his/her name but may also request confidentiality; the person

