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WHISTLEBLOWING

POLICY

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Reviewed by: Quality Assurance Team

Approved By: Proprietor/Governors

Effective Date: March 2024

Next Review Date: March 2026

Whistleblowing Policy

Introduction

The purpose of this policy is to enable Orion to meet its duty of care to

Orion is committed to the highest possible standards of openness and accountability in all of its activities. It also expects a high standard of conduct and integrity from employees.

Any employee who has a serious concern about any aspect of the Orion's work or the actions of its employees should voice their concerns through established internal channels, without fear of harassment or victimisation.

This policy aims to:-

- Provide clearly defined channels for staff and volunteers to raise concerns and receive feedback on any action taken;
- Inform staff and volunteers on how to take the matter further if they are dissatisfied with the response; and
- Reassure staff and volunteers that they will be protected from reprisals or victimisation for whistleblowing.

There are existing procedures in place to enable staff to lodge a grievance relating to their own employment. This Whistleblowing Policy is intended to cover concerns that fall outside the scope of this and other procedures as well as enabling volunteers with the means to raise a concern.

Individuals are encouraged to raise any concerns that they might have about any wrongdoing on the part of the Orion, its staff or the Governors. Wrongdoing may include for example, fraud, corruption, malpractice, breach of health and safety law, or any other illegal or unethical act.

This policy applies to all employees and volunteers of Orion and contractors working for Orion.

All concerns raised will be treated in confidence and every effort will be made not to reveal the identity of the individual raising the concern if they so wish. Where a concern is raised anonymously, it will be considered at the discretion of the Orion, taking into account the seriousness of the issue raised, the credibility of the concern and the likelihood of confirming the allegation from other sources.

If there is evidence that an allegation has been made maliciously, it may be addressed within the framework of Orion's Disciplinary Policy.

Whistleblowing Process

Individual employees are encouraged to raise any concerns they have through their line manager, who will refer the matter to the Head of School. If the concern relates to their line manager, or if the individual does not feel at ease raising the concern through this route, the individual should raise their concern directly with the Head of School. If the concern relates to the Head of School, the individual should raise their concern with the Chair of Governors.

Concerns are better raised in writing. The background and history of the concern, giving names, dates and places where possible, should be set out and the reason why the individual is particularly concerned about the situation.

Dealing with Complaints

The action taken by the Governors will depend on the nature of the concern. The matters raised may need to be referred to the police, or external advisors. However, in the first instance, initial enquiries will be made by the Head of School or Governors to decide on the appropriate course of action.

Usually an investigation, to be handled at least initially by a member of senior management (this person must be sufficiently distant from the concerns so as to remain objective) will be appropriate. Some concerns may be resolved by agreed action without the need for further investigation.

Within a reasonable period of time of a concern being received, the Head of School or the Chair of Governors will write to the whistleblower, indicating how he / she proposes to deal with the matter and giving an estimate of how long it is likely to take to provide a final response.

If necessary, further information will need to be sought from the whistleblower therefore a further meeting may need to be arranged. If such a meeting is arranged, staff have the right to be accompanied by a Trade Union representative.

Orion will take steps to minimise any difficulties which an individual may experience as a result of raising a concern. For instance, if members of staff are required to give evidence in criminal or disciplinary proceedings, Orion will advise them about the procedure and offer appropriate support. In addition staff will be supported throughout the process including dealing with the media as appropriate.

Following the investigation process, there will be a formal written response to the whistleblower advising them, subject to any legal constraints, of the actions taken and the outcomes of any investigations. If possible, copies of reports and other appropriate documentation will also be made available to them (if appropriate in a redacted form). The whistleblower will be offered a meeting with the Head of School or the Chair of the Governors.

In appropriate circumstances, Orion may decide not to take any further action, particularly if there is no evidence that wrongdoing within the meaning of this policy has occurred, is occurring or is likely to occur.

The whistleblower is not entitled to expect to be able to determine the outcome of the investigation process or to insist that disciplinary action must be taken or a prosecution instigated. However, if they are not satisfied then they can raise their concerns at a further meeting as outlined above. If they still feel that their concerns have not been investigated thoroughly, there are other means of raising those concerns more widely to the Local Authority or other regulatory bodies.

All responses to the whistleblower will be made in writing and sent to their home address.

Malicious Complaints

A deliberately false or malicious complaint may be a disciplinary offence and will be dealt with under the Orion's Disciplinary Policy.

Complaining Outside Orion

This policy is intended to provide staff and volunteers with an avenue to raise concerns with Orion. If a staff member or volunteer does take the matter outside Orion, they need to ensure that they do not disclose confidential information. Staff are encouraged to exhaust internal procedures before referring concerns outside Orion.

Support and Guidance

In cases where the whistleblower has decided not to raise their complaint anonymously, due regard and sensitivity will need to be exercised by all involved in the process to ensure that the whistleblower does not suffer detrimental treatment as a result of raising a complaint.

Should the whistleblower have any concerns about harassment or victimisation as a result of raising a complaint, contact should be made with Orion with the need to consider how potential harassment or victimisation can be best managed. This contact should be someone with authority within the school to challenge the alleged perpetrator. (This might include the Head of School or the Chair of Governors).

Policy Review

This policy will be reviewed bi-annually or at an earlier date if changes are required due to changes in Orion's Whistleblowing process or legislation and or guidance.