

WHISTLEBLOWING POLICY

POLICY ESSENTIAL INFORMATION

Title:	Whistleblowing Policy
Identifier:	CS_6.1
Date of Last Review:	August 2020
Status:	Non Statutory
Committee:	Leadership
Leadership Lead:	CEO/Principal
Review Process:	Every Two Years
Location:	Website
Reviewed and approved:	August 2020

Introduction

GEMS World Academy (GWA) is committed to the highest possible standards of openness, probity 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 Academy's work or the actions of any of its employees should voice their concerns through established internal channels, without fear of harassment or victimisation. It is vitally important that every member of staff understands their responsibilities in relation to voicing their concerns and this policy seeks to offer guidance.

Purpose

The purpose of the policy is to:

- Encourage employees to feel confident in raising concerns and to question and act upon their concerns
- Provide avenues for employees to raise these concerns and receive feedback on any action taken
- Allow employees to take the matter further if they are dissatisfied with the Academy's response
- Reassure them that they will be protected from reprisals or victimisation for whistleblowing in good faith in accordance with the procedure
- This policy applies to all employees including those working on a temporary or casual basis
- There are existing procedures in place to allow staff to lodge a grievance relating to their own employment within the Academy's Grievance Policy
- This Policy is intended to cover reasonably serious concerns that fall outside the scope of other procedures. That concern may be about any of the following (but the list is not intended to be exhaustive):
 - A criminal conviction that has been, is being, or is likely to be committed
 - Fraud and corruption
 - Unauthorised use of Academy funds
 - Any concerns of a safeguarding nature
 - A failure to comply with a legal obligation
 - A health and safety risk relating to any individual
 - A miscarriage of justice
 - Any damage to the environment
 - Actions that are contrary to any of the Academy's policies
 - Actions or behaviour that fall below established standards of practice
 - Abuse and welfare of students or staff
 - Harassment or victimisation of students or staff
 - Any actions or concerns regarding practice that could result in a financial loss to the Academy
 - The deliberate concealment of information relating to any of the above matters
 - Other unethical conduct

Definitions

“Reportable Matter(s)” can be defined as an illegal or unethical activity occurring, or reasonably likely to occur, within the company as a result of a violation of law, regulation or policy, including: questionable accounting auditing matters violation of applicable country laws and regulations any other company matters involving:

- abuse of authority
- violation of GEMS Employee Code of Conduct
- fraud, bribery, corruption o health & safety or environmental issues, and
- wastage/ misappropriation of company funds or assets.

“Safeguarding” is the action that is taken to promote the welfare of children and protect them from harm. Protecting children from abuse and maltreatment. Preventing harm to children’s health or development. Ensuring children grow up with the provision of safe and effective care.

Procedure

Making a disclosure – initial action

- As soon as an employee becomes reasonably concerned about a matter, they should first raise the issue with their line manager (the "receiving manager"), unless the disclosure concerns them, in which case the employee should arrange to discuss with the Principal / CEO. If the matter is of a safeguarding concern, the employee should raise immediately with the Designated Safeguarding Lead or Principal/CEO
- Disclosures involving the Principal/CEO should be raised with the Local Advisory Board (LAB). In this case, the Chair of the LAB may appoint an independent investigator to consider the case and if there are grounds for proceeding. Disclosures concerning a member of the Senior Leadership Team (SLT) should be raised with the Principal/CEO
- All managers have a responsibility to act on the concerns raised, in accordance with this procedure. Failure to do so in accordance with the policy and procedure may lead to disciplinary action
- Concerns may be raised verbally or in writing and should give the background, the nature of the malpractice that is alleged; relevant dates where possible; the reasons for the concern and the names of individuals against whom the allegations are made
- If the concern is raised verbally, then the person receiving the information should put in writing, outlining the matters raised and any relevant details
- Once a concern is raised the receiving manager should report the matter to the Principal/CEO who will appoint an appropriate senior leader to investigate (the "investigating officer"). This could be the receiving manager. The Principal/CEO will determine whether the matter constitutes a disclosure or whether it should be dealt with under another procedure (the employee will be informed of this). If the matter is dealt with under the Whistleblowing policy then the employee will then be informed of the name of the Investigating Officer. If the matter relates to the Principal/CEO, the Chair of the LAB will appoint the Investigating Officer. Due to the nature of the disclosure the Principal/CEO may

appoint an independent external investigator to look into the matter. If the matter relates to the Principal/CEO then decisions for proceeding will be made by the Chair of the LAB

- The Investigating Officer will then inform the employee in writing of the process to be followed
- The Investigating Officer will also inform any employee against whom allegations are made against, of the nature of the allegations. This will normally be done in writing within ten working days. However this may be delayed if it is likely to jeopardise the investigation

Handling a disclosure

The Investigating Officer will be responsible for deciding whether there are grounds for proceeding further with the case.

Potential action that the Investigating Officer could take includes a clarification of the facts, a more formal investigation or the employee may be advised that the matter is better dealt with under another policy. Any recommendations will be sent to the Principal/CEO.

Where appropriate, the matters raised may:

- be formally investigated by the Investigating Officer or internal auditors
- be referred to the police
- be referred to the external auditor
- form the subject of an independent inquiry by an outside body

This will be determined by the Investigating Officer in conjunction with the Principal / CEO and HR. Within ten working days of a concern being raised, the Investigating officer will write to both parties:

- indicating how the Academy proposes to deal with the matter, and where an internal investigation is to take place giving an estimate of how long it will take to provide a full response
- indicating whether further investigations will take place and if not, why not

Any internal investigation should take no longer than necessary to complete from the date of receipt of the original disclosure. As part of the investigation, the investigation manager will decide:

- whether disciplinary action be taken against any employee
- whether changes should be recommended to any Academy procedure
- whether any other action should be recommended

These will be detailed in a final report.

The Investigating Officer will send a copy of the final report, including recommendations, to the Principal/CEO or to the Chair of the LAB (if the disclosure involves the Principal/CEO) who will consider the recommendations and determine what action, if any, to take. The Investigating Officer

will also give a response in writing to the employee who made the disclosure as soon as possible after the completion of the investigation. This response will include the outcome of the investigation and what action, if any, is to be taken, although precise details may not be given where there are legal constraints, or it would infringe a duty of confidence owed by the Academy to someone else, or where there are business reasons for not doing so.

The individual who is subject to the disclosure will also be informed of the outcome in writing and what action, if any, is to be taken as soon as possible or within reasonable time after the completion of the investigation.

Appeal

An employee who raises a concern and is not satisfied with the outcome or action proposed may appeal against the decision to the Principal/CEO. An appeal should be made to the Principal/CEO within five days' of receipt of the outcome letter.

The Principal or the Chair of the LAB will determine who should hear the appeal. The appeal should be completed within one month.

After the appeal process is exhausted, there is no further right of internal appeal. However, if the employee remains dissatisfied they may raise the matter further by contacting an outside agency.

An employee who is subject to action arising from a whistleblowing disclosure will be able to make representations, within five working days, to the Principal/CEO about the outcome of the report. The Principal/CEO will consider these representations and may direct further investigation or review as appropriate.

Timescales Action	Timescale	By Who
Written acknowledgement of disclosure made in writing or if received verbally, including an outline of process to be followed	Within 10 working days	Person who receives the disclosure – the 'Receiving Manager'
Confirm in writing to the person being complained about, that a disclosure has been received and that it is being considered. Outline the process to be followed	Within 10 working days	Person who receives the disclosure – the 'Receiving Manager'

Confirmation of whether the matter is to be investigated, and if so, how it will be investigated Letters sent to employee and person complained of	Within four weeks of receipt of disclosure	Person appointed to investigate – the ‘Investigating Officer’
Written confirmation of outcome of the investigation and action to be taken. Report sent to Principal / CEO recommendations and determines what action to take. Letters sent to employee and person complained of	Within three months of receipt of disclosure	Person appointed to investigate – the ‘Investigating Officer’
Appeal against outcome of investigation	Within five working days from receipt of outcome	Employee who makes the disclosure
Appeal carried out	Within one month of appeal	Manager appointed to hear the appeal
Appeal to Principal / CEO	Within five working days from receipt of outcome	Employee subject to the disclosure

These timescales only apply if the original disclosure is not acted upon under one of the Academy’s other policies. If the decision of the Principal/CEO is that it falls under a separate procedure, then the timescales for that procedure will apply.

Whistleblowing

GEMS has implemented an independent, toll-free hotline service called GEMS Whistleblowing Hotline, hosted by a third-party provider, KPMG, through which employees can anonymously report concerns of fraud, illegal activity or severe misconduct.

All the reporting options (except the toll free) are available 24-hours-a-day, seven days a week. The toll free call centre is available from 0830 to 2100 from Sunday to Thursday. Employees may report a Reportable Matter through GEMS Whistleblowing Hotline by contacting either:

Grounded, Entrepreneurial, Nurturing, Innovative, Unique, Sophisticated



Toll free number 800 50 37283

Email address concerns@gemswhistleblowerhotline.com

Website www.gemswhistleblowerhotline.com

Surface Mail GEMS Whistleblowing, PO Box 28653 (Sharjah) or 346038 (Dubai), United Arab Emirate

If the Whistleblowing hotline is used, GWA will follow the GEMS Whistleblowing Policy [available here](#).