

## Whistleblowing Policy

<b>Trust Lead:</b>	<b>Executive Head teacher</b>
<b>Governor Lead:</b>	<b>Jill Bottomley</b>
<b>Nominated Lead Member of Staff:</b>	<b>Head teacher</b>
<b>Status &amp; Review Cycle:</b>	<b>Statutory</b>
<b>Last Review Date:</b>	<b>November 2018</b>

## **WHISTLEBLOWING POLICY**

### **Introduction**

Whistleblowing is the reporting by employees or ex-employees, of wrong doing or malpractice within the workplace. The policy is designed to give employees the means to report such wrong doings and equally to protect them from malicious or false allegations. The Public Interest Disclosure Act 1998 is the key legal framework.

### **Scope**

The policy covers reporting for things where an individual believes the behaviour to be illegal, against a relevant code of practice, is in contradiction to what the employee knows has been instructed within the Trust or for things such as fraud or malpractice, mismanagement, unethical, child protection issues and so on. Examples might be:

- Inappropriate use of Trust funds
- Criminal activity
- Damage to the assets of the Trust
- Abuse of position
- Tampering with documentation

The list is not exhaustive

It covers fellow employees, management, the governing body and employees such as contractors or agency employees acting on behalf of the Trust or Trust within the Trust

## Principles

- Whistleblowing should be done in good faith and with regard to the public interest.
- Employees may feel that they are unable to speak out against a fellow employee due to a sense of loyalty, either to that colleague or to the Trust. This document makes clear that any person may speak out in confidence without fear of discrimination or victimisation.
- It is important that anyone connected with the Trust should raise issues that they feel are of concern so that they can be investigated and dealt with, thus preventing such issues causing any harm either to a pupil, or to the efficiency and reputation of the Trust.
- The Trust recognises that a member of staff may wish to have guidance or representation from their Trade Union officer(s) in the usage of this policy.
- This policy applies to all Trust employees as well as contractors working on behalf of the Trust, such as builders, tradesmen, caterers, volunteers etc.
- Any person who reports an issue or concern in good faith will not themselves be at risk of any form of sanction or retribution, provided that person has not maliciously raised a matter that they know to be untrue.
- The Trust will not tolerate any form of harassment or victimisation of anyone raising a genuine concern, and that if the whistleblower so wishes, his or her identity will be protected in accordance with this policy.
- If a matter cannot be resolved without revealing the identity of the individual who raised it, we will discuss with them whether and how we can proceed before any action is taken. In any such discussions the factors to be taken into account would be the seriousness of the issues raised, the credibility of the concern, and the feasibility of action being taken without revealing the identity of the concerned individual. For this reason, persons making whistleblowing disclosures are discouraged from doing so anonymously.
- If any concern is raised or allegation is made that cannot be proved by an investigation, no action whatsoever will be taken against the person who reported it. However, if a member of staff raises an issue or makes an allegation frivolously or maliciously, that person may then be subject to disciplinary procedures.

## Raising a concern

- If you are concerned that any malpractice is taking place, this should be raised with the Headteacher at the earliest opportunity. This can be either verbally or in writing. It may be helpful for all parties need to agree that the issue raised will be kept confidential until the procedure is used.
- If you feel unable to raise the concern with the Headteacher for whatever reason, then you should speak to the Chair of Governors. This can be either verbally or in writing.
- Although you will not be required to provide material evidence to substantiate an issue or potential problem, you will be required to demonstrate to the person contacted that your concern is justified.
- If any other interested person or persons have the same concerns as yourself, you may wish to invite them to present at any meeting or interview in connection with a concern you have raised
- You may wish to invite a Trade Union representative to any meeting in connection with a concern you have raised.
- If any concerns are justified that cannot be resolved by the actions of the individual to whom they are reported, they may be reported back to the full Board of Governors and/or Board of Directors. Unless the concern is an extremely serious safety or criminal issue, this will only occur if you wish it to.
- Even if the matter must, for reasons of the importance of the issue raised, be referred back to the Board of Governors, and/or Board of Directors, you will be fully consulted about how this should be done, and the matter kept confidential if necessary.
- When a concern is raised, an interview will be arranged to discuss the nature of that concern and to ascertain whether you wish the matter to remain confidential. If your concern is clearly genuine and in good faith, you will be reassured at this point that no sanctions or reprisals will take place, if you are in a position to receive such sanctions or reprisals. Notes of such a meeting will be taken and you will be asked to review them and sign as an accurate account.
- If you feel the matter is too sensitive or serious to raise internally, you may wish to contact the Police, or another agency, directly. We strongly recommend that you seek advice before reporting a concern to anyone external. The Whistleblowers Charity 'Public Concern at Work' operates a confidential helpline.

## **How the matter will be taken forward**

- If it is not possible to resolve the issue immediately without investigation, the Line Manager to whom the matter has been reported will then either investigate the matter themselves, or delegate another person to do so.
- The matter may then be investigated by the Headteacher, Chair of Governors, or other appointed person, or referred to another party as is deemed appropriate. Such a party may include: the full Governing body, the Trust Board or an external agency such as the Police or a relevant ombudsman. You will be fully consulted before the matter is delegated to another person or referred to another body.
- It may be possible that the matter raised can be dealt with under existing internal procedures, in which case you will be notified immediately and any relevant action taken.
- A written acknowledgement of your concerns will also be sent to you within ten working days of any initial meeting. This response should also give some indication of if and how the matter is being dealt with and the timescales involved in any such investigation being made or action being taken. If no investigation is being made or action is being taken, the letter must explain the reasons for this.
- If the matter requires investigation or action, whoever is appointed to do so will liaise with you to ensure that any difficulties you may experience as a result of raising the concern are minimal. It may be impossible to retain confidentiality should the matter become an issue, for example for the Trust's disciplinary policies, or even a matter for the Police
- When an outcome has been reached of any investigation, you will be informed of the details of this and any subsequent action that will be taken.

## **Points of contact**

This policy is intended to give an individual a method of pursuing a matter of concern to them within the framework of the Trust. However, if you feel that it would be more appropriate to seek external support or raise the matter with an outside agency, you may consider the following suggestions helpful:

Charities or Voluntary Organisations such as Public Concern at Work ([www.pcaw.co.uk](http://www.pcaw.co.uk))

Your Trade Union

The Citizens Advice Bureau

The Health and Safety Executive

The Police