

INCLUSIVE | MULTI ACADEMY TRUST

WHISTLEBLOWING POLICY

DOCUMENT DETAIL	
Policy Reference Number	4
Approving Body	Trust Board
Author	Sharon Carlyon (based on Judicium model policy)
Scheduled Review	Annually
Date of Policy	September 2021
Next review	September 2022

SECTION TITLE	PAGE NO.
Introduction	3
What is whistleblowing	4
Raising a whistleblowing concern	4
Confidentiality	5
Investigation and outcome	5
If you are not satisfied	6
External disclosures	6
Protection and support for whistleblowers	7
Contacts	7

INTRODUCTION

The Trust is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards in accordance with their contractual obligations and the Trust's policies and procedures from time to time in force.

However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential to prevent such situations occurring or to address them when they do occur.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- To provide staff with guidance as to how to raise those concerns.
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Protect (formerly Public Concern at Work).

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the Trust and the Trust reserves the right to amend its content at any time. This policy reflects the Trust's current practices and applies to all individuals working at all levels of the organisation, including the Trustees, Governors, consultants, contractors, trainees, home-workers, part-time and fixed-term workers, casual and agency staff (collectively referred to as "Staff" in this policy) who are advised to familiarise themselves with its content.

It is a requirement under the Academy Trust Handbook that academy trusts must have procedures for whistleblowing, and trustees must agree the whistleblowing procedure. The Trust will appoint at least one trustee and one member of staff who other staff can contact to report concerns and must ensure all staff are aware of the process and how concerns will be managed.

The Academy Trust Handbook sets out a requirement that the Board of Trustees must notify the Education and Skills Funding Agency (ESFA) as soon as possible, of any instances of fraud, theft and/or irregularity exceeding £5k individually, or £5k cumulatively in any financial year. Unusual or systematic fraud, regardless of value, must also be reported.

WHAT IS WHISTLEBLOWING

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- criminal activity.
- child protection and/or safeguarding concerns.
- miscarriages of justice.
- danger to health and safety.
- damage to the environment.
- failure to comply with any legal or professional obligation or regulatory requirements.
- financial fraud or mismanagement.
- negligence.
- breach of our internal policies and procedures including our Code of Conduct.
- conduct likely to damage the Trust's reputation.
- unauthorised disclosure of confidential information.
- the deliberate concealment of any of the above matters.

A whistle-blower is a person who raises a genuine concern that he/she believes is in the public interest relating to any of the above. If the member of staff has any genuine concerns related to suspected wrongdoing or danger affecting any of the Trust's activities (a whistleblowing concern) they should report it under this policy.

This policy should not be used for complaints relating to staff's own personal circumstances, such as the way they have been treated at work. In those cases, staff should use the Grievance Policy and Procedure or Anti-harassment and Bullying Policy as appropriate.

If staff are uncertain whether something is within the scope of this policy, they should seek advice from the Headteacher or Chief Operating Officer.

RAISING A WHISTLEBLOWING CONCERN

The Trust hopes that in many cases staff will be able to raise any concerns with their Line Manager and/or Headteacher speaking to them in person or putting the matter in writing if they prefer. They may be able to agree a way of resolving the concern quickly and effectively. In some cases they may refer the matter to the Local Governing Committee.

However, where the matter is more serious the member of staff may prefer to raise it with one of the following:

- Chief Operating Officer

- Chief Executive Officer
- Chair of the Trust Board

The Trust will arrange a meeting with the member of staff as soon as possible to discuss their concern. Staff may bring a colleague or trade union representative to any meetings under this policy who must respect the confidentiality of the disclosure and any subsequent investigation.

The Trust will take down a written summary of the concern raised and provide the member of the staff with a copy as soon as practicable after the meeting. The Trust will also aim to give the member of staff an indication of how we propose to deal with the matter.

CONFIDENTIALITY

The Trust hope that staff will feel able to voice whistle blowing concerns openly under this policy. However, if a member of staff wants to raise his or her concern confidentially, the Trust will endeavour to keep his or her identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of staff's concern to know their identity, the Trust will discuss this with the member of staff first.

The Trust does not encourage Staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the Trust cannot obtain further information. It is also more difficult to establish whether any allegations are credible. Whistle-blowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality.

If a member of staff is in any doubt, they can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Protect

Helpline: **020 3117 2520**

(Independent whistleblowing charity)

E-mail: whistle@protect-advice.org.uk

Website: www.pcaw.org.uk

INVESTIGATION AND OUTCOME

Once a member of staff has raised a concern, the Trust will carry out an initial assessment to determine the scope of any investigation. The Trust will inform the member of staff of the outcome of its assessment. The member of staff raising the concern may be required to attend additional meetings in order to provide further information.

In some cases, the Trust may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the Trust to minimise the risk of future wrongdoing.

The Trust will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Trust from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

If the Trust concludes that a whistle-blower has made false allegations maliciously or with a view to personal gain, the whistle-blower will be subject to disciplinary action under the Trust's Disciplinary Policy and Procedure.

IF YOU ARE NOT SATISFIED

Whilst the Trust cannot always guarantee the outcome a particular member of staff is seeking, the Trust will try to deal with the concern fairly and in an appropriate way. If a member of staff is not happy with the way in which his or her concern has been handled, he or she can raise it with a number of other bodies.

EXTERNAL DISCLOSURES

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases staff should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for staff to report their concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. We strongly encourage a member of staff to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. These include:

- the Financial Conduct Authority (formerly the Financial Services Authority)
- the Health and Safety Executive
- the Environment Agency
- Her Majesty's Chief Inspector of Children's services and skills
- the Secretary of State for Education
- the Office of Qualifications and Examinations Regulator.

A full list can be obtained from the charity, [Protect](#) or the [BEIS](#) (Department for Business, Energy and Industrial Strategy) website. Alternatively, an employee may contact their professional association or trade union representative.

Whistleblowing concerns usually relate to the conduct of staff, but they may sometimes relate to the actions of a third party, such as a service provider. In some circumstances the law will protect you if you raise the matter with the third party. However, staff are encouraged to report such concerns internally first. Staff should contact one of the other individuals set out above for guidance.

PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

It is understandable that whistle-blowers are sometimes worried about possible repercussions. The Trust aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

Staff must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that he or she has suffered any such treatment, he or she should inform the Headteacher immediately. If the matter is not remedied the member of staff should raise it formally using the Trust's Grievance Policy.

Staff must not threaten or retaliate against whistle-blowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to Chief operating Officer in the first instance.

Contacts

The Trust's appointed member of staff is James Roach jamesroach@inclusivemat.co.uk

The Trust's appointed trustee(s) for this purpose is Elizabeth Leeman chair@inclusivemat.co.uk