

The Harrowby / National Academies Trust

“Aim High BELIEVE, Fly High ACHIEVE”

Whistleblowing Policy



Trust

“Those who trust in the Lord will become strong again. They will be able to rise up and soar like an eagle in the sky.”
Isaiah 40 v31



Friendship

“A friend loves at all times and is always there to help.”
Proverbs 17 v17

Forgiveness

“Be kind, be humble, gentle and patient. Forgive each other.”
Colossians 3 v13

Wisdom

“Listen to advice and accept correction. Then in the end you will be wise.”
Proverbs 19 v20

Endurance

“I can do all things through Christ because he gives me strength.”
Philippians 4 v13

Peace

“The Fruit of the Spirit is love, joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control.”
Galatians 5 v22-23

Date of Review	October 2019
Date of Next Review:	Autumn 2021

1. Definition

- 1.1 A **Whistleblower** is generally a term used for a person who works in or for an organisation and raises an honest and reasonable concern about a possible fraud, crime, danger or other serious risk that could threaten colleagues, service users, customers, members of the public or the success and reputation of the organisation.
- 1.2 This Policy applies to all staff including full and part-time, temporary, volunteers and individuals undertaking work experience in the Academies Trust.

2. Aims and Scope of the Policy

- 2.1 The Board of Trustees is committed to high standards in all aspects of the Academies Trust and will treat whistleblowing as a serious matter. In line with the Trust's commitment to openness, probity and accountability, those who report concerns will be taken seriously, investigated and appropriate action taken in response.
- 2.2 This Policy aims to:
- Give confidence to those who wish to raise concerns about conduct or practice which is potentially illegal, corrupt, improper, unsafe or unethical or which amounts to malpractice or is inconsistent with school standards and policies so that he/she is encouraged to act on those concerns.
 - Provide avenues to raise concerns.
 - Ensure a response is received to the concerns raised and feedback on any action taken.
 - Offer assurance of protection from reprisals or victimisation for whistleblowing action undertaken in good faith.
- 2.3 This Policy covers whistleblowing relating to alleged:
- Unlawful conduct.
 - Miscarriages of justice in the conduct of statutory or other processes.
 - Failure to comply with a statutory or legal obligation.
 - Potential maladministration, misconduct or malpractice.
 - Health and safety issues including risks to the public as well as risks to pupils and members of staff.
 - Action that has caused or is likely to cause danger to the environment.
 - Abuse of authority.
 - Unauthorised use of public or other funds.
 - Fraud or corruption.
 - Breaches of financial regulations or policies.
 - Mistreatment of any person.
 - Action that has caused or is likely to cause physical danger to any person or risk serious damage to school property.

- Sexual, physical or emotional abuse of members of staff, volunteers or pupils.
- Unfair discrimination or favouritism.
- Racist incidents or acts, or racial harassment.
- Any attempt to prevent disclosure of any of the issues listed above.

3 Safeguard against Reprisal, Harassment and Victimisation

3.1 The Trust will not tolerate harassment or victimisation of people who raise a genuine concern. Anyone who victimises or harasses another as a result of their having raised a concern in accordance with the Whistleblowing Policy will be dealt with under the Board's staff disciplinary procedures.

4. Confidentiality

4.1 The Trust recognises that people may want to raise concerns in confidence and will do its utmost to protect the identity of those who raise a concern and do not want their name disclosed.

4.2 However, investigation into the concern could reveal the source of the information and statements may be required as part of the evidence, which would be seen by all parties involved. If the investigation leads to prosecution the whistleblower is likely to be called to give evidence in court.

5. Anonymous Allegations

5.1 People should put their name to allegations whenever possible – anonymous concerns are much less powerful. Nonetheless, anonymous allegations may be considered under this whistleblowing procedure especially concerns raised relating to the welfare of children. In relation to determining whether an anonymous allegation will be taken forward the Board will take the following factors into account:

- The seriousness of the issue raised.
- The credibility of the concern.
- The likelihood of confirming the allegation from attributable sources, and obtaining information provided.

6. Untrue and Malicious Allegations

6.1 If a person makes an allegation in good faith but it is not confirmed by further inquiry, the matter will be closed and no further action taken. If, however, the inquiry shows that untrue allegations were malicious or made for personal gain then the Board will consider taking disciplinary/legal action.

7. Allegations Concerning Child Protection Issues

- 7.1 If a member of staff has a concern related to a *child protection* issue, this should be reported to the Designated Safeguarding Officer. The DSO in liaison with the Executive Headteacher will notify the Local Authority Designated Officer (LADO).
- 7.2 If the concern is about the Executive Headteacher, the DSO should inform the Chair of Trustees.

8. Procedure for Making a Whistleblowing Allegation

- 8.1 Concerns should be expressed in writing to the Executive Headteacher. If the concerns involve the Executive Headteacher then the Chair of Trustees should be the first point of contact. It is expected that the person receiving the allegation will become the investigating officer. However, it is at the discretion of this person to delegate the investigation to another person if they feel this is appropriate.
- 8.2 Where the concern relates to a child protection matter, if a member of staff does not want to raise this through the school, they must consult with the LADO.
- 8.3 A concern should be in writing for the avoidance of doubt. A background and history of the concern should be set out giving names, dates, places (where possible) and an explanation of the reason for the concern. If it is not possible for the concern to be put in writing the matter can still be raised verbally and a meeting arranged. A member of staff may also ask their trade union or professional association to raise the matter on their behalf or to support them in raising the concern.

9. Response to Whistleblowing

- 9.1 The matter raised may:
- Need inquiry internally in the school (Executive Headteacher/Chair of Trustees).
 - Need to be passed to the Police if it relates to alleged criminal activity.
 - Need to be passed to the Internal Auditor for complaints about financial management or financial propriety.
 - Need to be referred to the LADO if there is a concern relating to child protection.
- 9.2 At this stage concerns/allegations are neither accepted nor rejected.

10. Timescale for Response

- 10.1 A written response will normally be received within 5 working days (except in the case of anonymous allegations):
- Acknowledging that the concern has been received.

- Indicating how it is proposed to deal with the matter.
- Giving an estimate of how long it will take to provide a final response.
- Advising whether any enquiries have been made.
- Advising whether further enquiries will take place.
- Informing of support available whilst matters are looked into, and
- Maintaining confidentiality wherever possible but also explaining that it may not be possible to guarantee anonymity.

11. The Inquiry Process

11.1 The investigating officer will:

- Look into the allegation; seeking evidence and interviewing witnesses as necessary.
- Maintain confidentiality wherever possible but will be mindful that there is no guarantee that the whistle-blower can remain anonymous.
- If appropriate, bring the matter to the attention of the Internal Auditor (Julia Raftery) for complaints about financial management.
- If appropriate, for concerns of criminal behaviour refer the matter to the Police.
- If appropriate, for concerns of child protection, refer the matter to the LADO. The whistleblowing process will be halted until the statutory authorities have completed their investigations and confirmed that it is appropriate to continue with the whistleblowing process.

11.2 If the investigating officer needs to talk with the member of staff, they are permitted to be accompanied by a trade union or professional association representative or a fellow member of staff not involved in the area of work to which the concern relates.

11.3 The target is to complete the inquiry within 15 working days from the date of the initial written response, although the inquiry may extend beyond this timescale.

12. The Inquiry Report

12.1 Following completion of the inquiry process the investigating officer will make a written report and if necessary action will be taken. This may result in a trigger for the grievance and/or disciplinary procedure to be implemented against the person reported. The whistle-blower will also be notified of the outcome. The report will not contain the whistle-blower's name unless it has been stated that they wished to be named.

12.2 If the investigation was carried out by a person other than the Executive Headteacher or Chair of Trustees, the written report must be submitted to the

Executive Headteacher and Chair of Trustees to determine what further action (if any) is required. When considering further actions, the Executive Headteacher and Chair of Trustees **must** act on any recommendations made in the report. If the Executive Headteacher and Chair of Trustees cannot agree on further actions, a panel of three Trustees (excluding the Executive Headteacher and Chair of Trustees) will be convened to consider the report and agree further actions.

13. Taking the Matter Further

- 13.1 If no action is to be taken and/or the staff member who made the complaint is not satisfied with the way the matter has been dealt with, a complaint can be made following the Trust's Complaints Procedure.

14. Review

- 14.1 This policy will be reviewed every two years.