



Whistleblowing Policy and Procedure Version 2.5

<p>Important: This document can only be considered valid when viewed on the Trust website. If this document has been printed or saved to another location, you must check that the version number on your copy matches that of the document online.</p> <p>Name and Title of Author:</p>	<p style="text-align: right;">Lisa Longstaff, Director of HR and Governance</p>
<p>Name of Responsible Committee/Individual:</p>	<p>Trust Board</p>
<p>Implementation Date:</p>	<p>March 2021</p>
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<p>Target Audience:</p>	<p>Employees, agency workers, self-employed workers and professional visitors.</p>
<p>Associated Documents:</p>	<p>Public Interest Disclosure Act 1998 Trust Disciplinary Policy and Procedure Expectations and Code of Conduct Trust and School Safeguarding Policies Grievance Procedure Academies Financial Handbook Dignity and Respect Policy Health and Safety Policy Fraud Policy Safeguarding Children Board</p>

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POLICY STATEMENT

We are here to make great schools and happier, stronger communities so that people have better lives. We do this by:

- Always doing what is right
- Trusting in each other and standing shoulder to shoulder
- Doing what we know makes the difference

Doing what is right means always acting with integrity, in the interests of others and being honest, open and transparent.

The Trust is fully committed to an ethos of openness, accountability and transparency, where employees are encouraged to voice any concerns they have in a professional, responsible way. All individuals are therefore encouraged to raise any concerns they may have, and this policy details the way in which individuals may raise concerns.

1. SCOPE

This policy applies to employees, agency workers, self-employed workers and professional visitors. This policy does not cover issues such as an employee's concerns regarding their own pay or working hours, working conditions or volume of work, as those issues should be addressed via other policies and procedures (e.g. The Trust's Grievance Procedure).

2. ROLES AND RESPONSIBILITIES

The **Trust Board** is responsible for approving this policy, monitoring its effectiveness and ensuring it is published on the Trust's website. Trustees must also appoint at least one Trustee and one member of staff who other staff can contact to report concerns.

The **CEO** is responsible for ensuring that staff and others do not suffer a detriment in the application of this policy and procedure. The CEO will also ensure that:

- Any individual who makes a disclosure of wrongdoing or malpractice in good faith is protected against victimisation
- Anyone who victimises a whistleblower will be subject to the Trust's Disciplinary Policy and Procedure
- Any matters raised will be treated seriously, swiftly, consistently, fairly and professionally
- Any matter raised will be promptly and thoroughly investigated by an appropriate senior person
- The whistleblower's identity will, so far as is possible, remain confidential
- Any employee or worker who knowingly makes false allegations against a colleague will be subject to the Trust's Disciplinary Policy and Procedure
- Any employee who, in good faith, makes allegations that turn out to be unfounded will not be penalised for being genuinely mistaken.

The **Human Resources Department** is responsible for ensuring that all employees and officers of the Trust are aware of this policy. The team will also ensure that:

- the policy is implemented fairly and consistently
- staff know what protection is available to them if they report areas of malpractice or wrongdoing, and who to approach to report a concern

- whistleblowers are treated with dignity and respect and offered access to appropriate support
- whistleblowers are encouraged to access additional support via their trade unions and the employee assistance programme

Leaders and managers must ensure they deal with whistleblowing issues swiftly, respectfully, thoroughly and professionally, whilst upholding confidentiality as far as possible.

All **employees and officers of the Trust** have a responsibility for raising any concerns they have, thus providing the Trust with the opportunity to resolve any issues that arise. It is expected that wherever possible employees and officers of the Trust raise concerns prior to malpractice or wrongdoing occurring. However, where this isn't possible, it is expected that employees and officers of the Trust raise concerns at the earliest opportunity in line with this policy and procedure.

3. EQUALITY AND DIVERSITY

The Education Alliance is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines
- Delivering high quality teaching and services that meet the diverse needs of its student population and its workforce, ensuring that no individual or group is disadvantaged

4. PRINCIPLES

Everyone should ensure they have an awareness and understanding of the importance of preventing and eliminating wrongdoing at work. Employees and officers of the Trust should be mindful of the potential for illegal or unethical conduct and report anything of that nature. Any matter raised under the procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation will be shared with the worker who raised the issue.

The law provides protection for workers who raise legitimate concerns about specified matters and these are called qualifying disclosures. A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation, or;
- concealment of any of the above;

is being, has been, or is likely to be, committed. In education, it is also crucial that safeguarding issues are viewed as qualifying as a qualifying disclosure. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. The worker has no responsibility for investigating the matter, as it is the organisation's responsibility to ensure that an investigation takes place.

No worker will be victimised for whistleblowing. This means that the continued employment and opportunities for future promotion or learning and development of the worker will not be prejudiced because he/she has raised a legitimate concern.

It is important that we protect whistleblowers and that we also ensure this policy is not misused. The following are examples of actions that would be considered disciplinary offences:

- Victimisation of a worker for whistleblowing.
- Maliciously making a false allegation
- An instruction to cover up a potential wrongdoing. If told not to raise or pursue a concern, even by a person in authority such as a manager, workers must not agree to remain silent and should escalate the issue to either a more senior manager or the Human Resources Department.

5. SAFEGUARDING

All workers must act on any concerns or information that gives them concern about the safety and wellbeing of a child or children arising from circumstances or events in or outside of school. Safeguarding concerns may relate to the conduct or behaviour of a worker towards an individual child or children; information that suggests a worker is unsuitable to work with children, or belief that the senior leadership team, the Trust Board, or a Local Governing Body (LGB) has failed to take appropriate action in response to a safeguarding concern raised.

The Trust's Child Protection Policy details the ways in which people can raise safeguarding concerns in our trust. All concerns will be treated with the strictest confidence by all concerned. The Trust will protect the identity of whistleblowers as much as possible; however, it may not always be possible to do so. All staff involved in any related investigations must maintain confidentiality during and after its conclusion.

6. WHISTLEBLOWING ROUTES

In the first instance, unless the individual reasonably believes his/her line manager to be involved in the issue/concern, or if for any other reason the individual does not wish to approach his/her line manager, any concerns should be raised with the Human Resources Department or a member of the Trust or school Senior Leadership Team.

The line manager will undertake a preliminary investigation and they should notify their Headteacher. If the Headteacher is potentially involved in the issue/concern, the manager should contact the Director of HR and Governance, or the Executive Principal. A more thorough investigation may then be undertaken, as appropriate. This will include an interview and statement from the individual who raised the issue(s), potentially other witness statements alongside the collation of any relevant evidence. The manager investigating the issue will report the findings of their investigation to either their Headteacher, the Director of HR and Governance, or the Executive Principal. Serious cases may result in the issue being escalated to the Chair of the Board and any appropriate government department or regulatory agency. If disciplinary action is required, the manager investigating the issue will investigate the matter with assistance from the Human Resources Department and the findings will be shared with the CEO (if there are allegations against the CEO the Human Resources Department will work directly with the Trust Board). On conclusion of any investigation, the individual will be advised of the outcome of the investigation (including the actions that the Trust Board has either taken or intends to take). If no further action is to be taken, the rationale for this decision will be shared with the individual. If the individual reasonably believes that appropriate action has not been taken, he/she should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made, including:

- HM Revenue and Customs
- Financial Conduct Authority
- Competition and Markets Authority
- Health and Safety Executive

- Environment Agency
- Independent Office for Police Conduct
- Serious Fraud Office

Whistleblowers can also make a disclosure to Ofsted by telephone (0300 123 3155), via email (whistleblowing@ofsted.gov.uk) or in writing to: WBHL, Ofsted Piccadilly Gate Store Street Manchester M1 2WD. The Department for Education is also a prescribed body for whistleblowing in education.

7. MONITORING COMPLIANCE WITH AND EFFECTIVENESS OF THE POLICY AND PROCEDURE

Effectiveness and compliance of this Policy and Procedure will be monitored via the reporting and auditing of case resolution as issues arise.

8. REVIEW

This Policy and Procedure will be reviewed within two years of the date of implementation with recognised trade unions via the JCNC.

Whistleblowing Flowchart

