



Whistleblowing Policy

Document date: September 2022



Together, pursuing life in all its fullness

Version	Date	Author	Changes
v1.0	March 2014	Jo Baker	Initial issue
v3.0	December 2017	Louise Beale	Reviewed and updated to latest template
v4.0	June 2021	Camillia Salter, Head of HR	Policy consulted with Trade Unions. Ratified by JCC – June 2021.
V4.1	September 2022	Camillia Salter, Head of HR	Reviewed for updates to the Public Interest Disclosure Act and change of disclosure routes in section 7. Ratified by JCC – July 2022

Review frequency	4 years
Review date	September 2026
Ratified by	Audit and Risk Committee
Date of ratification	23.09.2022 (Board Strategy)
Lead/owner	Head of HR
Target audience	Staff
Document reference	POL-HR33

The electronic version is the definitive version of this document.

Contents

1. Purpose.....	4
2. Roles and Responsibilities.....	4
3. Policy	4
4. Safeguards against harassment or victimisation	5
5. Confidentiality.....	6
6. Untrue allegations	6
7. How to raise a concern.....	6
8. How the Leadership Teams within the Academy and the Trust will respond.....	6
9. How the Matter can be taken further.....	7
10. Review and Monitoring	8

1. Purpose

- 1.1. The purpose of this policy is to make clear that employees can and should voice concerns without fear of victimisation, subsequent discrimination, or disadvantage. It is intended that this policy will encourage and enable employees to raise serious concerns within the academy and the Central Team within the Trust rather than overlooking a problem. If the whistle-blower believes they cannot make a complaint within the Trust, this policy provides details for the appropriate external links.
- 1.2. This policy applies to all employees within the Trust whether on a permanent, fixed term or temporary contract. It also applies to volunteers or contractors working for the academy or the Central Team within the Trust for example agency workers, supply teachers and builders.
- 1.3. Whilst disclosures are not protected unless they are believed to have been made 'in the public interest' it is recognised that in certain cases the person raising the concern will wish to proceed on a confidential basis. All investigations, documentation, reports and witness statements will be dealt with in the strictest confidence. The identity of the whistle-blower will only be released by the appropriate person if there is a legal requirement to do so, such as a court order, or if the whistle-blower gives written permission. This policy is intended to encourage and enable staff, volunteers, visitors, or contractors to report concerns as outlined in section 7 so that they can be properly and quickly investigated.

2. Roles and Responsibilities

- 2.1. The Trust Leadership Team and academy Headteacher have overall responsibility for ensuring that the Whistleblowing Policy is managed appropriately in accordance with this agreed procedure.
- 2.2. In an academy the Headteacher, along with Line Managers are responsible for making employees aware of the existence of this policy.
- 2.3. In the Trust's Central Team, the Head of Human Resources will be responsible for making employees aware of the existence of this policy.
- 2.4. The Headteacher and Deputy Chief Executive Officer – Education is responsible for informing the Chief Executive Officer of any concerns raised by employees which come under the Whistleblowing Policy.
- 2.5. The Chief Executive Officer is responsible for maintaining a record of concerns raised and outcomes (but in a form which does not endanger confidentiality) and will report to the Trust Board, as necessary.
- 2.6. Employees are responsible for making themselves familiar with and complying with this policy.

3. Policy

- 3.1. Employees or volunteers could be the first to realise that there may be something seriously wrong within an academy or across the Trust. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the academy. They may also fear harassment or victimisation. In these circumstances the employee may feel it is easier to ignore the concern rather than report what may just be a suspicion of malpractice.

- 3.2. The Trust is committed to the highest possible standards of openness, probity, and accountability. In line with that commitment, we expect employees and volunteers, and others that we deal with, who have serious concerns about any aspect of the academy's or the Trust's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis in order to ensure that the employee is not subject to detriment as a result of making the disclosure
- 3.3. This policy aims to encourage employees to feel confident about raising serious concerns, to question and act upon concerns and to provide avenues for employees or volunteers to raise those concerns and receive feedback on any action taken. The policy also aims to reassure employees and volunteers that they will be protected from possible reprisals or victimisation if they have a reasonable belief. Victimisation of whistle-blowers will not be tolerated, and investigatory action will be taken against those who victimise or harass whistle-blowers.
- 3.4. A Grievance Procedure exists to enable an employee or volunteer to lodge a grievance relating to their own employment. A complaint under the Whistleblowing Policy can be defined as a disclosure of information in the public interest, where the employee or volunteer reasonably believes that one or more of the following matters is either happening, has taken place, or is likely to happen in the future:
- A criminal offence
 - The breach of a legal obligation;
 - Disclosures related to miscarriages of justice
 - Serious health and safety risks, including risks to the public as well as other employees
 - Serious damage to the environment
 - An abuse of power or authority
 - The unauthorised use of public funds
 - Sexual or physical abuse of pupils
 - Unethical conduct
 - A deliberate attempt to conceal any of the above.
- 3.5. Any serious concerns that an employee may have about any aspect of conduct by employees of the academy or others acting on behalf of the academy or Central Team within the Trust may be reported under this policy. This policy does not replace the Trust's Complaints Procedure.

4. Safeguards Against Harassment or Victimisation

- 4.1. The Trust recognises that the decision to report a concern can be a difficult one to make. If what the employee is saying is true, or they have a reasonable belief that it is true, the employee or volunteer will have nothing to fear because they will be doing their duty to the academy and pupils of the academy.
- 4.2. The Trust will not tolerate any harassment or victimisation (including informal pressure) and will take appropriate investigatory action to protect and provide support for employees or volunteers when concerns are raised.
- 4.3. Any investigation into allegations of potential malpractice under this policy will not influence, or be influenced by, any disciplinary or redundancy procedures that already affect an employee.

4.4 Employees who are members of a Trade Union or Professional Association should seek advice from their representative at the earliest opportunity.

5. Confidentiality

5.1. All concerns will be treated in confidence and every effort will be made not to reveal the identity of an employee who raises allegations under this policy. At the appropriate time, however, the employee may need to come forward as a witness.

5.2. Employees are encouraged to put their name to allegations wherever possible. This is because concerns expressed anonymously are much more difficult to investigate. Therefore, anonymous allegations will be considered at the discretion of the Chief Executive Officer.

6. Untrue Allegations

6.1. If an employee or volunteer makes an allegation, but it is not confirmed by the investigation, no action will be taken against the employee or volunteer. If, however, the employee or volunteer makes an allegation frivolously, vexatiously, maliciously or for personal gain, disciplinary action may be taken against the employee or other actions taken against a volunteer.

7. How to Raise a Concern

7.1. Concerns can be raised as follows:

Concerns relating to:	Raise concerns with:
Academy staff	Headteacher
Headteacher, Executive Headteacher	Chief Executive Officer
Central Staff	Chief Executive Officer
Trust Leadership Team	Chief Executive Officer
Chief Executive Officer	Chair of Trust Board
Trust Board	Diocesan Director of Education or Diocesan Secretary (see section 9 for contact details)

7.2. Concerns may be raised verbally or in writing. It is helpful for the employee or volunteer to provide the background and history of the concern (giving relevant names and dates) and the reason why the employee or volunteer is particularly concerned about the situation.

7.3. The earlier the employee or volunteer expresses the concerns, the easier it will be to take action.

7.4. Although the employee or volunteer is not expected to prove beyond reasonable doubt the truth of an allegation, the employee or volunteer should demonstrate to the person contacted that there are reasonable grounds for the concern.

7.5. The employee or volunteer may wish to consider discussing the concern with a Trade Union Representative or work colleague first and may find it easier to raise the matter collectively if there are other colleagues who have the same experience or concerns.

8. How the Leadership Teams Within the Academy and the Trust Will Respond

- 8.1. The concerns may be investigated by the Chief Executive Officer (or appropriate representative) and this could be through the disciplinary process where relevant; or form the subject of an independent inquiry.
- 8.2. Concerns or allegations, which fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures.
- 8.3. Within **ten working days** of a concern being raised, the Chief Executive Officer (or appropriate representative) will write to the employee:
 - acknowledging that a concern has been raised;
 - indicating how it is proposed to deal with the matter and who the investigating officer will be;
 - giving an estimate of how long it will take to provide a final response;
 - telling the employee or volunteer whether any initial enquiries have been made;
 - telling the employee or volunteer whether further investigations will take place and if not, why not.
 - Advise the employee that the concern raised will be subject to confidentiality and must not be discussed with colleagues or third parties outside of the Academy and the Trust.
- 8.4. The amount of contact between the individual considering the issue and the employee or volunteer who raised the issue will depend on the nature of the matters raised; the potential difficulties involved, and the clarity of information provided. If necessary, further information will be sought from the employee or volunteer.
- 8.5. When a meeting has been arranged, employees or volunteers may be accompanied by a representative from a Trade Union or a workplace colleague. They may also request that the meeting is held away from the normal place of work.

Academy and Trust Leaders accept that the employee or volunteer will need to be assured that the matter has been properly addressed and therefore the employee or volunteer will be informed of the steps that have been taken to resolve the matter as appropriate. Where the employee or volunteer has raised concerns in writing then the course of action should also be confirmed in writing.

9. How the Matter Can be Taken Further

- 9.1. The aim of this policy is to ensure that employees or volunteers can raise concerns internally and it is hoped that the employee or volunteer will be satisfied with any action taken. If this is not the case, then they may raise their concerns with the Chair of the Trust Board.
- 9.2. If the employee or volunteer wishes to take the matter outside of the organisation, then the following are possible contact points:
 - The prescribed body for a complaint about academies is the Education and Skills Funding Agency. The contact details are:
www.gov.uk/guidance/how-esfa-handles-whistleblowing-disclosures
 - Diocesan Director of Education:
<https://www.coventry.anglican.org/about/contact-us/contacting-the-diocesan-board-of-education.php>

- The Diocesan Secretary:
<https://coventry.anglican.org/about/contact-us/complaints-and-whistleblowing/do-i-complain-or-whistleblow/>
- Protect. This is an independent charity that operates a confidential helpline to provide free impartial advice: <https://protect-advice.org.uk>
- Audit Commission
- Trade Union
- Citizens Advice Bureau
- Relevant Professional Bodies
- Regulatory Organisations
- Local Police

9.3. If the employee or volunteer chooses to take the matter outside of the academy and the Trust, then the employee or volunteer should ensure that they do not disclose confidential information. An employee or volunteer should not take concerns directly to the media as this could be considered as a Breach of Trust and Confidence which could lead to Disciplinary action.

10. Review and Monitoring

The Trust will review the application of this policy to ensure proper procedures have been followed and to identify any points that can be learned from those cases and implement any necessary changes.

The procedure will be monitored to ensure consistency of application and adherence to equalities legislation, to ensure that the policy operates in accordance with the duties to promote equality, to eliminate discrimination and to promote good relations between staff with protected characteristics as required under the Equality Act 2010.

When carrying out any reviews or monitoring, the organisation will ensure that individuals' personal data is handled in accordance with UK GDPR and the Data Protection Act 2018. Records will be treated as confidential.

This policy will be reviewed every four years in consultation with recognised Trade Unions.