



WHISTLEBLOWING POLICY

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WHISTLEBLOWING

POLICY

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This policy does not form part of the contract of employment and may be amended from time to time. The School reserves the right to depart from it as appropriate to individual circumstances, whilst always taking account of the ACAS Code of Conduct.

1.0

INTRODUCTION

Wickersley Partnership Trust (hereafter known as WPT) is committed to the highest possible standards of openness, probity and accountability. In line with that commitment the Trust expects employees, and others that we deal with, who have serious worries about any aspect of their school's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

Employees are often the first to realise that there may be something wrong within their School/Trust and have a duty to report such matters. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School/Trust. They may also fear harassment/bullying or victimisation. However, employees should not ignore their worries.

The Trust will ensure that employees can come forward and express their concerns without fear of victimisation, subsequent discrimination or disadvantage. This Confidential Reporting Policy is intended to encourage and enable employees to raise serious concerns within the School/Trust rather than overlooking a problem or "blowing the whistle" outside.

School Leader/Line Managers should take in to account the translation and interpretation needs of the individual.

The policy applies to all employees and those contractors working for the School/Trust on WPT premises, for example, agency staff, contractors, and volunteers.

2.0

AIMS

This policy aims to:

- encourage employees to feel confident in raising concerns, to question and act upon concerns about practice
- enable employees to receive feedback on any action taken and how to pursue them if they are not satisfied
- reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

There is a difference between whistleblowing and raising a grievance:

- whistleblowing is where an individual has a concern about a danger or illegality that has a public interest aspect to it, for example because it threatens customers, third parties or the public generally; but
- a grievance is a complaint that generally relates to an individual's own employment position or personal circumstances at work.



The Trust has existing procedures in place to enable employees to lodge a grievance relating to their own employment including any breach of the Trust's Equality Policy or Harassment/Bullying Policy (see Equality and Harassment/Bullying Policies).

This policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- conduct which is an offence or a breach of law, including those relating to bribery and corruption and tax evasion facilitation
- disclosures relating to miscarriages of justice
- health and safety risks, including risks to the public as well as other employees
- damage to the environment
- the unauthorised use of public funds
- possible fraud and corruption
- sexual or physical abuse of stakeholders
- other unethical conduct including deliberately concealing any of the above

Thus, any serious concerns that employees have about any aspect of the School/Trust work or the conduct of any stakeholder can be reported under this Confidential Reporting Policy. This may be about something that:

- makes them feel uncomfortable in terms of known standards, their experience or the standards they believe the Trust/School subscribes to; or
- is against WPT Standing Orders and policies; or
- falls below established standards of practice; or
- amounts to improper conduct.

3.0

ANONYMOUS ALLEGATIONS AND CONFIDENTIALITY

We hope that all staff will feel able to voice their concerns openly under this policy. Concerns raised anonymously are very difficult – and sometimes impossible – to investigate. We can't properly establish whether allegations are credible without being able to ask staff for more details or for clarification, and this makes it hard to reach an informed decision. This is why we urge staff not to report matters anonymously. However, if a member of staff does not feel comfortable in reporting their concern openly, they should inform us of this we will do all we can to protect their identity. We may want to disclose the staff member's identity to people involved in the investigation, but we will always discuss this with the staff member first.

4.0 SAFEGUARDS

The Trust is committed to high standards of good practice and is supportive of employees.

The Trust/School recognises that the decision to report a concern can be a difficult one to make. If what employees are saying is true or if they have a genuine concern (even if they are mistaken with that concern i.e. if there is not a breach of policy, legal obligation or other activity), they will have nothing to fear because they will be doing their duty to the Trust and those for whom they are providing a service.

The Trust/School will not tolerate any harassment/bullying or victimisation (including informal pressures) and will take appropriate action to protect the employee when they raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any other employment policies that they are already subjected to.

The Public Interest Disclosure Act 2013 gives legal protection to employees who disclose information, in good faith, about alleged wrongdoing. All whistleblowers are given the same protection, so staff must not threaten or otherwise badly treat others who have raised concerns under this policy. If they do, they may face disciplinary action which could include dismissal for gross misconduct. The whistleblower may also be able to bring legal action against them.

5.0 UNTRUE ALLEGATIONS

If the employee makes an allegation in good faith and with reasonable belief, but it is not confirmed by the investigation, no action will be taken against them. If, however, they make an allegation frivolously, maliciously or for personal gain, disciplinary action (under the WPT Disciplinary Policy) may be taken against them the result of which could be dismissal without notice for gross misconduct.

6.0 HOW TO RAISE A CONCERN

Employees should raise concerns with their Line Manager/Headteacher. Concerns may be raised verbally or in writing. Employees who wish to make a written report are invited to use the following format:



- please mark envelope “to be opened by addressee only”
- include the background and history of the concern (giving relevant dates, key facts and names of people involved) and say that they are raising their concern under this policy;
- include the reason why they are particularly concerned about the situation.

The earlier they express their concern the easier it is for the Trust/School to take action.

Although they are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for their concern.

Employees may wish to consider discussing their concern with a colleague or their Trade Union Representative first.

Employees may invite their Trade Union Representative, Professional Association Representative or a colleague to be present during any meetings or interviews in connection with the concerns they have raised.

7.0

HOW SCHOOL/TRUST WILL RESPOND

The School/Trust will respond to their concerns. Do not forget that testing out their concerns is not the same as either accepting or rejecting them.

Where appropriate, the matters raised may:

- be investigated by Senior Leaders or through the Disciplinary Policy
- be referred to the police
- form the subject of an independent inquiry

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Trust/School will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection issues) will normally be referred for consideration under those policies.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within ten working days of a concern being raised, a response will;

- acknowledge that the concern has been received
- indicate how Trust/School will propose to deal with the matter
- estimate how long it will take to provide a final response
- state whether any initial enquiries have been made
- provide information for the employee on matters regarding health and wellbeing/ support mechanisms, and
- inform whether further investigations will be required

The employee may be invited to a meeting to discuss their concerns prior to an investigation taking place. The employee may be asked to attend further meetings throughout the course of the investigations.

The School/Trust will take steps to minimise any difficulties which employees may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings the School/Trust will arrange for the employee to receive advice and guidance as appropriate.

The Trust accepts that employees need to be assured that the matter has been properly addressed. Thus, subject to legal constraints and confidentiality obligations, they will be kept informed of any developments every twenty working days and at the outcome of any investigation.

8.0

HOW THE MATTER CAN BE TAKEN FURTHER

This policy is intended to provide employees with an avenue within the School/Trust to raise concerns. The School/Trust hopes the employee will be satisfied with any action taken. If they are not, then they can request the Headteacher/Line Manager to refer the matter for consideration by;

- Directors of the Trust.
- Trade Union Representative
- Local Citizens Advice Bureau
- Relevant Professional Bodies or Regulatory Organisations
- Relevant Voluntary Organisation
- Police

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external. Employees can get further advice on whistleblowing, protecting confidentiality, and being protected from reprisals at: www.protectadvice.org.uk. Protect is an independent charity that also offers an advice line (020 3117 2520).

Disclosure to the press is not encouraged. The procedures set out in this policy are in place to ensure an appropriate way to raise public interest concerns and should be used as priority. Accordingly we would normally treat any unnecessary contact with the press on matters for which this policy applies as a serious disciplinary issue justifying dismissal.

This policy links to our policies on:

- Code of Conduct
- Grievance
- Harassment and bullying
- Equality

