



*Better Together*  
LEARNING TRUST

## BETTER TOGETHER LEARNING TRUST

### WHISTLEBLOWING POLICY

#### STATUTORY POLICY

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## **Glossary**

The term '**School**' is used as standard to mean the educational establishment that is adopting this policy.

The term '**Headteacher**' is used to refer to the person with overall day-to-day responsibility of the **School**.

**Directors** are the Trustees of the Board.

**LGB** is the Local Governing Body.

## **1. Introduction**

All staff at one time or another, have concerns about what is happening at work. More often than not, these concerns are relatively minor and can be easily resolved. Openness, probity and accountability are vital components of public service. Employees who discover lapses in these areas must be encouraged to come forward and disclose their concerns to someone who can be trusted to take action. This process is known as 'whistleblowing'. These issues will be taken seriously and treated in a confidential manner.

The Public Interest Disclosure Act 1998 makes it automatically unfair to dismiss someone on the grounds that they undertook a 'protected disclosure' (ie a disclosure made in good faith with a reasonable belief that there has been malpractice or impropriety), and compensation in these circumstances is unlimited. In order for staff to be protected under this law they must take reasonable steps to raise the matter internally first before going outside the organisation and reporting their concerns to such as the press.

The policy applies to all employees and those contractors working on the premises of either the Trust/Academy/School, it also covers suppliers and those providing services under a contract with the Trust/Academy/School in their own premises.

## **2. What is the Policy for?**

The policy has been introduced to:-

- Encourage employees to feel confident in raising serious concerns and to question and act upon concerns about practice
- Provide avenues for staff to raise those concerns and receive feedback on any action taken
- Ensure that staff receive a response to their concerns and that they are aware of how to pursue them if they are not satisfied
- Reassure staff that they will be protected from possible reprisals or victimisation if they have reasonable belief that there is malpractice or impropriety and have made a disclosure in good faith.

## **3. Examples of areas covered**

The policy is intended to cover the following areas of concern:

- Lapses in child protection provision
- Conduct which is an offence or a breach of the law/statutory powers
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- Unauthorised use of public funds including action against standing orders or financial regulations
- Possible fraud and corruption
- Any other unethical conduct or improper conduct

- Concealment of any of the above.

The policy is not intended to replace the complaint or employee grievance or other established procedures.

#### **4. How the Trust/School will respond**

Initial enquires will be made to decide whether an investigation is appropriate and what form it should take. Some concerns may be resolved by agreed action without the need for investigation.

Within five days, the person to whom the concern has been referred to will inform the member of staff:-

- Acknowledging that the concern has been received
- Supplying information on staff support mechanisms, which may include confidential counselling

The Trust/Academy/School will respond to concerns. Where appropriate the matters raised may:

- Be investigated by management, and lead into the disciplinary process
- Be referred to audit
- Be referred to the police

The amount of contact between the person considering the issues and the employee will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Trust/Academy/School will seek further information from the employee. Where any meeting is arranged, off-site if requested, the employee may be accompanied by a union/professional representative or a friend.

The Trust/School accepts that all staff need to be assured that the matters will be properly addressed. Subject to legal constraints, staff who have raised the concern will be informed of the outcomes of any investigation.

Any attempt to victimise a person who has reported a concern under this procedure will be dealt with under the Disciplinary Procedure.

#### **5. How to raise a concern**

Concerns can be raised by phone or in writing. Any concern should be raised at the earliest opportunity. The more information that can be supplied, including dates, times, details and names, the greater the opportunity to establish the facts. Although staff will not be expected to provide beyond doubt the truth of the allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for concern. Malicious allegations may lead to disciplinary action being taken.

Staff should normally raise concerns with their line manager, unless the concern is related to the line manager. The line manager should then discuss the matter with the Chief Operating Officer. If you believe that senior management is involved, the line manager should approach any of the following as appropriate:

The Headteacher/Head of School  
 The Executive Headteacher  
 The Chair of Governors  
 The Chair of Trustees

You may seek advice from you trade union/professional body.

You may also seek external advice from the Academies Auditors, Azets 01536 514 871; the Citizens Advice Bureau, the Police or 'Public Concern at Work' (0207 4046609).

Concerns are better raised in writing. This sets out the background and history of the concern.

**Remember, malpractice affects everyone and is unacceptable.**

Blowing the whistle on it is one way of stamping it out – for good.