

# THE EDUCATION VILLAGE ACADEMY TRUST



## CONFIDENTIAL REPORTING (WHISTLEBLOWING POLICY)

## EVAT Version Control Document

Version:	Date:	Policy Owner:	Amendments made by:	Details of amendments made:	Reviewed by:	Approved by:
V1.0	11/2016	Judith Amerigo				
V1.0	Nov 17	Judith Amerigo	A Mackenzie	Removed from Code of Conduct		
V1.1	March 19	Judith Amerigo	Judith Amerigo	Review in line with Code of Conduct	M Butler	
V1.2	01.05.19	Judith Amerigo	W Turpin	Incorporation of M Butler feedback and format		
V1.3	18.06.19	Judith Amerigo	W Turpin	Page Numbers		
V2.0	11.07.19	Judith Amerigo	W Turpin	Final version	F & R	27.07.19
V3.0	21.04.23	Rachel Inchiliffe	W Turpin	Final version following review	ELT	21.04.23

### Monitoring and review

This policy is reviewed every **three years** by the Policy Owner: **Rachel Inchiliffe**

The scheduled review date for this policy is **April 2026**.

## Values and Ethos

Our values and ethos are inclusive and child centred. Our Trust is founded on the principles of inclusivity, diversity and fairness, and they are fundamental to our delivery of exceptional learning experiences.

EVAT stands for:

- **E**xcellence and high standards
  - a can-do culture and no-excuses ethos
- **V**alues driven with a deep sense of purpose
  - putting children and young people first
  - behaving ethically
- **A**mbition and aspiration for all
  - irrespective of background or barriers – being truly inclusive
- **T**eamwork
  - we do more, better and faster, together

We are a village. We collaborate, with our learners, their families and our communities, to provide exceptional education so that all the children and young people we serve achieve the best possible outcomes.

### Our Ethos is to:

- Create a nurturing and friendly atmosphere and provide an environment where everyone feels valued for who they are
- Bring out the best in every child and young person and meet the full range of their individual needs
- Provide different and unique experiences, challenges and activities
- Show tolerance and respect for each other
- Prepare our children and young people for lifelong learning
- Improve the life chances of every child and young person we serve.

## Contents

1.	Introduction .....	5
2.	Aims .....	5
3.	Scope .....	5
3.	Responsibilities .....	6
5.	What is Whistleblowing? .....	6
6.	Protection and Support for Whistleblowing .....	7
7.	Confidentiality .....	7
8.	Anonymous Allegations .....	7
9.	Untrue or Malicious Allegations .....	7
10.	How to make a disclosure .....	8
11.	How the Trust will respond .....	8
12.	Independent Advice .....	9
13.	External Disclosures .....	9
14.	Public Sector Equality Duty (Equality Act 2010) .....	9

Where reference is made to an 'Academy' or a 'School' the intention is that the policy is universal and applies to both.

# WHISTLEBLOWING POLICY AND PROCEDURE

## 1. Introduction

- 1.1 The Education Village Academy Trust is committed to the highest possible standards of openness, honesty, integrity and accountability. The Trust acknowledges that employees are often the first to realise that there may be something seriously wrong within their organisation and that the Trust needs to encourage employees and others with concerns to come forward and be able to voice them i.e. whistle blow.

This policy has been revised to take into account the following guidance:

- “Whistleblowing Arrangements Code of Practice” issued by the British Standards Institute and Public Concern at Work <http://www.gov.uk/government/publications/whistleblowing-guidance-and-code-of-practice-for-employers>,
- Working Together to Safeguard Children 2015 <http://www.safeguardingschools.co.uk/wp-content/uploads/2015/03/>
- Sir Robert Francis's Freedom to Speak Up review report: [freedomtospeakup.org.uk](http://freedomtospeakup.org.uk).\*

\*(Whilst the Freedom to Speak Up report is written primarily about the NHS, Sir Robert's findings can be applied in other fields, including those organisations covered by Working Together to Safeguard Children (2015.)

## 2. Aims

2.1.1 This policy aims to:

- Encourage employees to feel confident in raising concerns;
- Reassure employees that, when they make a disclosure, they will be protected from reprisals or victimisation;
- Provide avenues for an employee to raise concerns and receive feedback on any action taken;
- Ensure that employees get a response to the concerns they have raised from the Trust and, if not satisfied, explain how they may take the matter further.

## 3. Scope

This policy applies to all employees, volunteers, agency workers, contractors and suppliers.

#### **4. Responsibilities**

- 4.1 The Executive Leadership Team (ELT) and the head of Human Resources have day-to-day responsibility for the implementation of this policy and must ensure that staff who may deal with concerns or investigations receive appropriate training. A log of concerns raised and outcomes will be held securely maintaining confidentiality.
- 4.2 All staff have a duty to disclose any concerns, suspected dangers or wrongdoings within the Trust.

#### **5. What is whistleblowing?**

5.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- Criminal activity;
- Failure to comply with any legal [or professional] obligation [or regulatory requirements];
- Miscarriage of justice;
- Danger to health and safety;
- Damage to the environment;
- Bribery;
- Financial fraud or mismanagement;
- Negligence;
- Breach of internal policies and procedures [including the Trust's Code of Conduct];
- Conduct likely to damage the Trust's reputation;
- Unauthorised disclosure of confidential information;
- Action which falls below the Trust's standards of practice
- Abuse (e.g. physical, sexual);
- Discrimination to any worker or service recipient e.g. on the grounds of disability, race etc.
- The deliberate concealment of any of the above matters.

5.1 A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of the Trust's activities (a whistleblowing concern), you should report it under this policy.

5.2 This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Procedure or Anti-harassment and Bullying Policy as appropriate.

5.3 Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a supplier or service provider.

## **6. Protection and support for Whistleblowers**

6.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. The Trust aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken. The Trust recognises that the decision to make a disclosure can be a difficult one, not least because of the fear of reprisal from those responsible for the malpractice or from other employees. The Trust will not tolerate bullying, harassment or victimisation and will take action to protect you when you raise a concern using this policy.

6.2 Whistle blowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal (including selection for redundancy), disciplinary action, threats or other unfavourable treatment connected with raising a concern. Employees who make a disclosure that is deemed to be in the public interest are protected from suffering a detriment in their employment under the Public Interest Disclosure Act 1998 (PIDA).

## **7. Confidentiality**

7.1 The Trust will do its best to protect your identity when you raise a concern and you do not want your name to be disclosed. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent or unless instructed by a Tribunal or Court. If the situation arises where we are not able to resolve the concern without revealing your identity (e.g. a statement by you may be required as part of the evidence), we will discuss with you whether and how we can proceed.

## **8. Anonymous Allegations**

8.1 This policy strongly encourages you to put your name to your allegation. Concerns expressed anonymously will be much more difficult for the Trust to look into or to give you feedback on. Concerns raised anonymously are much less powerful and less likely to be effective, but they will be considered at the discretion of the Trust.

8.2 In exercising discretion, the factors to be taken into account would include:

- the seriousness of the issues raised;
- the credibility and plausibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

## **9. Untrue or Malicious Allegations**

9.1 If you make an allegation that you reasonably believe is true but it is not confirmed by the investigation, no action will be taken against you. If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you.

## **10. How to make a disclosure**

- 10.1 As a first step, you should normally raise concerns with your immediate manager or their superior. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that a senior leader is involved, you should approach either the Principal or Chief Executive in the first instance.
- 10.2 Concerns can be raised verbally but are better raised in writing. You are invited to set out the background and history of the concern, giving names, dates and places where possible, and the reason why you are particularly concerned about the situation. If you do not feel able to put your concern in writing, you can telephone or meet the appropriate person.
- 10.3 The earlier you express the concern, the easier it is to take action. Although you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.
- 10.4 You may also invite your trade union or professional association to raise a matter on your behalf.

## **11. How the Trust will respond**

- 11.1 The action taken by the Trust will depend on the nature of the concern. The matters raised may be:
- investigated internally;
  - referred to the Police.
- 11.2 In order to protect individuals and the Trust, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example, child protection) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation.
- 11.3 Within ten working days of a concern being received, the Trust will write to you:
- Acknowledging that the concern has been received;
  - Indicating, in overall terms, how it proposes to deal with the matter;
  - Giving, where possible, an estimate of how long it will take to provide a final response;
  - Telling you whether any initial enquiries have been made; and
  - Telling you whether further investigations will take place, and if not, why not.
- 11.4 The amount of contact between those considering the issues and you, will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you.



- 11.5 When any meeting is arranged, you may be accompanied by a Trade Union representative, a work colleague, or a friend who does not have a conflict of interest.
- 11.6 The Trust recognises that you need to be assured that the matter has been properly addressed and as such, where possible, the Trust will provide information in this regard.

## 12. Independent Advice

- 12.1 If you are unsure whether to use this Policy, please speak to an appropriate member of the Executive Leadership Team. Alternatively, you may want to seek independent advice by contacting:
- Your union
  - Your professional body
  - The whistleblowing charity, 'Public Concern At Work' [www.pcaw.org.uk](http://www.pcaw.org.uk).

## 13. External Disclosures

- 13.1 This policy is intended to provide you with an avenue to raise concerns within the Trust and to give you the reassurance you need to raise such matters internally. The Trust hopes you will be satisfied. If you are not, and if you feel it is right to take the matter outside the Academy Trust, you should contact a prescribed person or body (guidance is available from **GOV.UK - Blowing the whistle: list of prescribed people and bodies**). This includes a list of public bodies which can deal with particular areas of concern e.g. Education, Finance etc. You can also make a disclosure to a solicitor or the police.
- 13.2 You should tell the prescribed person or body if you think that the **Trust**:
- Will cover the issue up
  - Treat you unfairly if you complained
  - Doesn't deal with the issue in question

## 14.0 Public Sector Equality Duty (Equality Act 2010)

In preparing or amending this policy, the author has given due regard to the Public Sector Equality Duty; that is they have considered any potential impact on people who share certain protected characteristics. These protected characteristics are defined as: race, disability, sex, age, religion or belief, sexual orientation, pregnancy and maternity and gender reassignment.