

Whistleblowing Policy



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
V4.0	12.03.24	Rachel Inchiliffe			Board of Trustees	21.03.24

Monitoring and Review

This policy is reviewed **annually** by the Policy Owner: **R Inchiliffe**

The scheduled review date for this policy is **March 2024**.

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:

- **Excellence** and high standards
 - a can-do culture and no-excuses ethos
- **Values driven** with a deep sense of purpose
 - putting children and young people first
 - behaving ethically
- **Ambition** and aspiration for all
 - irrespective of background or barriers – being truly inclusive
- **Teamwork**
 - 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	Page
Introduction	5
The Public Interest Disclosure Act	5
What is Whistleblowing?	6
Protection and Support for Whistleblowers	6
Confidentiality	7
Anonymous Allegations	7
Untrue or Malicious Allegations	7
Raising a Whistleblowing Concern	7
Investigations and Outcomes	8
External Disclosures	8
Public Sector Equality Duty (Equality Act 2010)	9

1. Introduction

- 1.1. The Trust is committed to running with honesty and integrity, and we expect all employees to maintain high standards. However, there is always the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential to prevent such situations occurring and to address them when they do occur.
- 1.2. The aims of this policy are:
 - *To encourage employees to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.*
 - *To provide employees with guidance as to how to raise those concerns.*
 - *To reassure employees that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.*
- 1.3. This policy covers all employees, governors, trustees, contractors, casual workers, and agency workers.
- 1.4. The People Team has overall responsibility for this policy, including keeping it under review and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 1.5. This policy does not form part of any employee's contract of employment.

2. The Public Interest Disclosure Act

- 2.1. The Public Interest Disclosure Act 1998 (PIDA) protects employees who “blow the whistle” where the employee reasonably believes that the disclosure falls within the remit of the prescribed person or body, and that the information and any allegations are substantially true. Disclosures made under this procedure will be monitored for statistical purposes as required under the PIDA. The details of any disclosure will remain confidential.
- 2.2. Depending on the nature of the whistleblowing, the Chief Executive / Chief Operating Officer / Executive Principal / Principal / Head of School / Headteacher will be the first point of contact for whistleblowing queries. If the allegation is related to the Chief Executive, the concern will be raised with the Chair of Trustees.
- 2.3. Any member of the school community or the public can “blow the whistle”; however, the PIDA only protects employees.

3. What is Whistleblowing?

3.1. Whistleblowing is the disclosure of information which in the reasonable belief of the individual relates to suspected wrongdoing or dangers at work, which is deemed to be in the public interest. This may include:

- *criminal activity;*
- *failure to comply with any legal or professional obligation or regulatory requirements;*
- *miscarriages of justice;*
- *danger to health and safety;*
- *damage to the environment;*
- *bribery;*
- *facilitating tax evasion;*
- *financial fraud or mismanagement;*
- *breach of our internal policies and procedures;*
- *conduct likely to damage our reputation or financial wellbeing;*
- *unauthorised disclosure of confidential information;*
- *negligence;*
- *the deliberate concealment of any of the above matters.*

3.2. A whistleblower is a person who raises a genuine concern relating to any of the above. If a person has 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.

3.3. This policy should not be used for complaints relating to an employee's own personal circumstances, such as the way they have been treated at work. In those cases the Trust's Grievance policy would be applicable.

4. Protection and Support for Whistleblowers

4.1. It is understandable that whistleblowers are sometimes worried about possible repercussions. The Trust aims to encourage openness and will support employees who raise genuine concerns under this policy, even if they turn out to be mistaken.

4.2. 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 those when raising a concern using this policy.

4.3. Whistleblowers 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).

5. Confidentiality

- 5.1. The Trust will do its best to protect identities when a concern is raised and if they want it to be anonymous. If the individual asks the Trust to protect their identity by keeping their confidence, the Trust will not disclose it without consent or unless instructed by a Tribunal or Court.
- 5.2. If the situation arises where the Trust are not able to resolve the concern without revealing identities (e.g. a statement by the individual may be required as part of the evidence), the Trust will discuss how we can proceed.

6. Anonymous Allegations

- 6.1. This policy strongly encourages an individual to put their name to their allegation. Concerns expressed anonymously will be much more difficult for the Trust to investigate or to give 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.
- 6.2. In exercising discretion, the factors to be considered include:
 - *the seriousness of the issues raised;*
 - *the credibility and plausibility of the concern; and*
 - *the likelihood of confirming the allegation from attributable sources.*

7. Untrue or Malicious Allegations

- 7.1. If an individual alleges information that they reasonably believe is true but it is not confirmed by the investigation, no action will be taken against them. If, however, the individual makes malicious or vexatious allegations, disciplinary action may be taken (if applicable).

8. Raising a Whistleblowing Concern

- 8.1. In the first instance, an employee would be required to raise any concerns with their manager or Executive Principal / Principal / Head of School / Headteacher. This can either be verbally or in writing. They may be able to agree a way of resolving the concern quickly and effectively.
- 8.2. However, where the matter is more serious, or the employee feels that their manager has not addressed their concern, or they prefer not to raise it with them for any reason, they should contact one of the following:

- *People Team*
- *Executive Principal (if applicable)*
- *Chief Operating Officer*
- *Chief Executive*
- *Chair of Board of Trustees*

- 8.3. The Trust will arrange a meeting as soon as possible to discuss the concern. The employee may be accompanied to any meetings under this policy; however the companion must respect the confidentiality of the disclosure and any subsequent investigation.
- 8.4. The Trust will take a written summary of the concern and provide the employee with a copy after the meeting. The Trust will also aim to give the employee an indication of how we propose to deal with the matter (if applicable).

9. Investigation and Outcomes

- 9.1. The Trust will conduct an initial assessment to determine the scope of any investigation. The whistleblower may be required to attend additional meetings to provide further information.
- 9.2. In some cases, the Trust may appoint an investigator or team of investigators including managers with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the Trust to minimise the risk of future wrongdoing.
- 9.3. The Trust will aim to keep the whistleblower informed of the progress of the investigation and its timescale. However, sometimes the need for confidentiality may prevent the Trust from providing specific details of the investigation or any disciplinary action taken as a result. The whistleblower should treat any information about the investigation as confidential.
- 9.4. If the Trust concludes that after investigation a whistleblower has made false allegations maliciously, the whistleblower may be subject to disciplinary action and may potentially be dismissed by reason of gross misconduct.

10. External Disclosures

- 10.1. This policy is intended to provide an avenue to raise concerns within the Trust and to give reassurance needed to raise such matters internally.
- 10.2. If the whistleblower is not satisfied with the outcome / response, and if they feel it is right to take the matter outside the Trust, they should contact a prescribed

person or body (guidance is available from GOV.UK - Blowing the whistle: list of prescribed people and bodies).

10.3. This includes a list of public bodies which can deal with areas of concern e.g. Education, Finance etc. An individual can also make a disclosure to a solicitor or the police.

10.4. The whistleblower should tell the prescribed person or body if they think that the Trust:

- will cover the issue up,
- treat the employee unfairly if they reported whistleblowing,
- doesn't deal with the issue in question

11. Public Sector Equality Duty (Equality Act 2010)

11.1. 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.