Every Child Matters Academy Trust
Whistleblowing Policy and Procedure

The terms Trust and School (and levels within e.g. governors and trustees) are interchangeable and apply to all schools within the Trust

1. Introduction and Definition

1.1 Whistleblowing can occur when an individual knows, or suspects, that there is some wrongdoing occurring within the organisation and alerts the employer or the relevant authority accordingly.

1.2 Employees, casual workers, agency workers and contractors are protected from disciplinary or other action by the employer, specifically in relation to the act of whistleblowing, if they reasonably believe the disclosure is in the public interest. 'Whistle-blowers' will be supported and protected on the basis that the below procedure is followed.

1.3 Academies welcome and encourage staff to raise concerns in relation to all Academy issues, ordinarily issues should be raised directly with line managers or appropriate Academy senior leadership. If staff are unsure about raising concerns initially with line management then these can be raised with trade union representatives and/or the human resource department.

2. Possible Situations

2.1 Although this list is not exhaustive, examples of situations in which it might be appropriate for an individual to report a wrongdoing include:

A breach, or potential breach, of health and safety legislation

Financial irregularities

Harassment of a colleague, customer or other individual

Damage to the environment

The committing of a criminal offence

An act of bribery

Deliberate concealment of any of the above

3. Procedure – Action to be taken by the individual

3.1 If an individual knows or suspects that some wrongdoing is occurring within the organisation, he or she should raise the matter immediately with the relevant manager, as outlined below. If the individual is unsure who to raise the concern with then they should contact the academy's HR Advisor.

4. Stage 1

4.1 As the first step, you should raise the matter with an appropriate level of line management which would normally be your own line manager. Much depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of wrongdoing. If you believe that your immediate manager(s) is involved, the Headteacher should be approached.

4.2 If the complaint relates to the Headteacher or you do not feel able to raise it with a member of staff, then you would need to raise it with the Chair of Governors.

4.3 Concerns may be raised verbally or in writing, but it is preferable for an allegation to be set out in writing. An allegation may also be made by phone. It is important, however, that when the concern is raised, you make it clear that the issue is being raised under the whistleblowing policy and why you feel this is in the public interest.

4.4 You will be asked to demonstrate to the staff member that you contact that there are sufficient grounds for concern.

4.5 If the allegation is written, the background and history should be set out, giving names, dates and places wherever possible, and the reasons why the situation is a cause for concern. You should date and sign this statement.

4.6 If the allegation is made verbally, you can invite a friend or representative of a trade union/professional association to be present. It is also permissible for a trade union or professional association representative to raise the matter on your behalf.

4.7 If you wish to raise the concern confidentially, this must be made clear to the person who is initially contacted.

4.8 If you have raised the issue verbally then you may be asked to put your concerns into writing at a later stage.

4.9 You will be told what steps the line manager intends to take to address the concern. He/she may be able to take the appropriate steps to investigate the matter raised. Alternatively, he/she may refer the matter to a member of the senior leadership team, the Headteacher or to the Chair of Governors.

4.10 Once the issue has been raised, you will be contacted by an appropriate manager, within an agreed timescale to attend a meeting to discuss the matter. Again, a friend or trade union/professional association representative may accompany you for the purposes of giving support.

4.11 Notes will be taken of the details of the concern and you will be asked to sign a copy of these notes.

4.12 When the matter has been fully investigated and a conclusion reached, a formal written response will be sent to you.

4.13 The line manager, Headteacher or Govening Body will also notify the person who is the subject of the disclosure within five working days of the meeting. Upon receipt of the

information, this individual will be able to appeal against any decisions by writing to the Headteacher, Governing Body, CEO or Chair of Trustees as appropriate.

5. Stage 2

5.1 If you are dissatisfied with the response to your concern, you can raise the matter within 10 working days of the date of receiving the response by writing to the Governing Body, CEO or Chair of Trustees as appropriate. If the Governing Body responded in stage 1 then direct your concern to the Chair of Trustees.

5.2 The Chair of Governors / Trustees will then write to you within five working days of receiving the letter to arrange a meeting to discuss the continuing concerns and why you are dissatisfied with Stage 1. This meeting should take place promptly. Again, you may be accompanied by a friend or representative of your trade union/professional association.

5.3 The Chair of Governors / Trustees may then decide to investigate further and will need to decide what action to take. You will be updated with the outcome of the meeting within five working days.

6. Procedure – Action to be taken by the Manager

6.1 Whistle blowers are encouraged to put their name to an allegation. If confidentiality is requested, the Governing Body / Trust will do its best to protect the identity of any member of staff who raises concerns. It will not disclose the identity of the whistle blower to the person who is the subject of the disclosure or to others not involved in the investigation unless it is absolutely necessary to do so and only with the prior consent of the individual concerned.

6.2 There are, however, circumstances under which complete confidentiality may be difficult for the Governing Body / Trust to maintain. For example:

- If the matter leads to a legal procedure and evidence is required by the court.
- If the issue raised comes within the remit of another procedure and the whistle blower is asked to provide a signed statement as part of the evidence, thus revealing their identity.

6.3 Anonymous allegations will only be considered if the issues raised are:

- Very serious.
- The credibility of the allegation is considered to be high.
- The likelihood of confirming the allegation is high.

7. Procedure – Alerting outside bodies

7.1 An individual should always, in this first instance, talk to a manager in the organisation about potential “wrongdoing”, as outlined above. If the individual is not satisfied with the response given following “stage 2”, he or she is entitled to contact a relevant external body to express the concerns.

- In doing this the individual should;
    - Have a reasonable belief that the allegation is based on correct facts

- Make the disclosure to a relevant body
- Have a reasonable belief it is in the public interest to make the disclosure
- A “relevant body” is likely to be a regulatory body (e.g. Health and Safety Executive, Financial Services Authority)

8. Protection against Detriment

8.1 Any individual who takes action will be protected from suffering any detriment in relation to the allegations that are made, including victimisation and harassment by the organisation or by colleagues.

8.2 If the individual does not follow the procedure set out above, which encompasses the requirements in relation to “public interest”, the protection will not apply. The media is not a relevant external body, individuals should not contact the media with allegations about the organisation. Disclosing information in an inappropriate way could result in disciplinary action being taken against the individual, which could include dismissal.

9. Monitoring and review

9.1 The Board of Trustees will be responsible for monitoring the implementation and effectiveness of this policy.

9.2 The policy will be reviewed by the Trustees as necessary

Approved by the Resources Committee on 11/04/2019.