

Eden Learning Trust Policy Document Whistleblowing Policy



INTRODUCTION

Eden Learning Trust is committed to conducting and running the school with honesty and integrity and we expect all individuals working for the school to maintain high standards. However all organisations from time to time face the risk of things going wrong or unknowingly harbouring illegal or unethical behaviour.

It is recognised that members of staff may be the first to spot anything that is seriously wrong within Eden Learning Trust. However, they might not say anything because they think this would be disloyal, or they might be worried that their suspicions are not justified. They may also be worried that they or someone else may be victimised.

Eden Learning Trust is committed to being open, honest and accountable and wants you to be able to raise any serious concerns you have.

This policy aims to ensure that if you want to raise a genuine concern, you can do so in confidence and with confidence and without having to worry about being victimised, discriminated against or disadvantaged in any way as a result.

This Policy applies to all individuals working at Eden Learning Trust. For the avoidance of doubt, this policy does not form part of any employee's contract of employment.

Date of last review: **June 2018**

Review date: **Biennial**

1. Aims

1.1. The aim of this Policy is to:

- encourage staff to report suspected wrongdoing as soon as possible with the knowledge that their concerns will be taken seriously and investigated as appropriate and their confidentiality will be respected;
- provide staff with guidance as to how to raise concerns;
- reassure staff that they should be able to raise genuine concerns without fear of reprisals even if they turn out to be mistaken

2. What Types Of Action Are Covered By The Policy?

- 2.1. The policy is intended to deal with serious or sensitive concerns about wrongdoing such as the following:
- unlawful conduct;
 - miscarriages of justice in the conduct of statutory or other processes;
 - failure to comply with a statutory or legal obligation;
 - potential maladministration, misconduct or malpractice;
 - health and safety issues including risks to the public as well as risks to pupils and members of staff;
 - action that has caused or is likely to cause danger to the environment;
 - abuse of authority;
 - unauthorised use of public or other funds;
 - fraud or corruption;
 - breaches of financial regulations or policies;
 - mistreatment of any person;
 - action that has caused or is likely to cause physical danger to any;
 - person or risk serious damage to school property;
 - sexual, physical or emotional abuse of members of staff or pupils;
 - unfair discrimination or favouritism;
 - racist incidents or acts, or racial harassment; and
 - any attempt to prevent disclosure of any of the issues listed.

3. What Is Not Covered?

- 3.1. This policy should not be used to deal with issues or matters that are covered by other procedures such as a complaint by a member of staff about their own employment or own personal circumstances such as the way they are treated at work which should be dealt with through our Grievance Procedure.
- 3.2. This policy should also not be used to raise issues that have already been settled through other formal procedures.
- 3.3. If you are not certain whether something is within the scope of this Policy, you should seek advice from the School Business Manager or the Headteacher.

4. Protecting You

- 4.1. Woodham Academy understands that deciding to blow the whistle is not easy.
- 4.2. If you raise a genuine concern under this policy, Eden Learning Trust will support you and take appropriate action under the Public Interest Disclosure Act 1998 to protect you from any harassment, victimisation or bullying. If you believe that you have suffered any such detrimental treatment, you could contact the Headteacher immediately and if the matter is not remedied, you should raise it formally under our Grievance Procedure.
- 4.3. Any member of staff involved in threatening or retaliation against anyone raising a complaint under this Policy may be subject to disciplinary action.
- 4.4. Woodham Academy will keep your concerns confidential if this is what you want. In this case we will not reveal your name or position without your permission or unless we have to do so by law. We would explain this at the time you raise a concern and will discuss with you if it is necessary for anyone investigating your concern to know your identity so you can decide whether or not to proceed.
- 4.5. You should also know that any allegation you make will not influence, or be influenced by, any unrelated matters, such as any disciplinary action being taken against you or any redundancy procedures that may affect you.

5. Anonymous Allegations

- 5.1. Eden Learning Trust would encourage you to give your name when you make an allegation. Concerns raised anonymously tend to be far less effective and proper investigation may be more difficult or impossible if, we do not have enough information. It is also more difficult to establish whether any allegations are credible.
- 5.2. If you feel that you cannot give your name, Eden Learning Trust will still decide whether or not to pursue the matter, which will depend on: the seriousness of the matter; whether your concern is believable and whether we can carry out an investigation based on the information you have provided.

6. Abuse Of This Policy

- 6.1. If we conclude that you have made false allegations maliciously or with a view to personal gain, you may be subject to disciplinary action.

7. How To Raise A Concern

- 7.1. The earlier you raise a concern, the easier it will be to take effective action.
- 7.2. You should first raise your concern with your immediate supervisor or line manager. If the supervisor or line manager considers it appropriate, it will be referred by them to a member of the senior leadership team or the Headteacher.
- 7.3. If you feel for whatever reason that it is not appropriate to raise your concern with your supervisor or line manager (where the matter is more serious or because they are suspected of involvement in the alleged wrongdoing or for any other material reason) then you should raise it directly with the Headteacher or, if it concerns the Headteacher, the Chair of Governors.
- 7.4. You are encouraged to set out your concern as fully as possible in writing but you may do so verbally if you prefer.

8. Support For You

- 8.1. We aim to encourage openness and will support whistleblowers who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 8.2. You may want to discuss your concern with a friend or colleague first. You may then find it easier to raise a concern if others share it with you. This could be useful, particularly if you do not want to disclose your identity.
- 8.3. Woodham Academy will, if necessary, arrange a meeting with you as soon as possible to discuss your concerns. You may be accompanied by a colleague or a representative from a trade union, who must respect the confidentiality of your disclosure and any subsequent investigation.
- 8.4.

9. External Disclosures

- 9.1. The aim of the Policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace.
- 9.2. Accordingly, in most cases you should not find it necessary to alert anyone externally, however, the law recognises that in some situations it may be appropriate for you to report your concerns to a third party, where you believe the concern mainly relates to their conduct or something that is their legal responsibility. Eden Learning Trust strongly encourages you to report such concerns internally first.

10. How Will We Respond

- 10.1. The way Eden Learning Trust deals with the concern will depend on what it involves.
- 10.2. We will first make enquiries to decide whether we should carry out an investigation and, if so, how we should go about it. Throughout all our enquiries and any investigation, our main concern will be to put the interests of the public first.
- 10.3. Your concern may be investigated by appropriate management, our internal auditors, or through the disciplinary process, or we may refer it to the following non-exhaustive list:
 - The Police
 - Our external auditor
 - An independent investigator
 - Child protection and or safeguarding authorities
 - Disclosure and Barring Service
 - A relevant professional body
- 10.4. If your concern or allegation can be handled under any other procedure or policy, we will pass it on to the relevant person and let you know.
- 10.5. We may be able to settle some concerns without carrying out an investigation but by taking action agreed with you.

- 10.6. If Eden Learning Trust needs to take urgent action, we will do this before carrying out an investigation.
- 10.7. Eden Learning Trust will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent Eden Learning Trust from giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
- 10.8. Eden Learning Trust will, where reasonably practicable, notify the person who raised the complaint of the outcome and if they are not satisfied with the outcome, it is their right to pursue the complaint externally should they choose to do so.