



# Salterns Academy Trust

## Whistleblowing Policy (Protected Disclosures)

### Document Control

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# Whistleblowing Policy (Protected Disclosures)

## 1. Purpose

This policy aims to enable employees to raise serious concerns within The Salterns Academy Trust and its' schools rather than overlooking a problem or 'whistleblowing' outside of the organisation. In summary, the policy:

- Encourages individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated and that their confidentiality will be respected
- Explains how to raise concerns about potential wrongdoing in or by the Trust
- Sets clear procedures for how the Trust will respond to such concerns
- Outlines the protection available to a member of staff if they raise a whistle-blowing concern
- Assures staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)

This policy applies to all employees within the Salterns Academy Trust whether on a permanent or on a fixed term contract. It also applies to contractors working for The Salterns Academy Trust and its' schools on school premises, for example agency workers, supply teachers and contractors. Throughout the term 'worker' will be used to describe all those covered by this policy.

This policy does not form part of any employee's contract of employment and may be amended at any time.

## 2. Legislation

The requirement to have clear whistle-blowing procedures in place is set out in the Academies Financial Handbook. This policy has been written in line with the above document, as well as government guidance on whistleblowing and taking account of the Public Interest Disclosure Act 1998.

## 3. Definition of Whistleblowing

Whistleblowing covers concerns made that report wrongdoing that is "in the public interest". A whistle-blower is a person who raises a genuine concern.

Examples of whistleblowing include:

- Criminal offences, such as fraud or corruption
- Pupils' or staffs' health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

Not all concerns about the Trust count as whistleblowing. For example, personal staff grievances such as bullying, or harassment do not usually count as whistleblowing. If something affects a worker as an individual, or relates to an individual employment contract, this is likely a grievance.

When workers have a concern, they should consider whether it would be better to follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work) has:

- [Further guidance](#) on the difference between a whistle-blowing concern and a grievance that workers may find useful if unsure
- A free and confidential [advice line](#)

#### **4. Procedure for workers to raise a whistle-blowing concern**

Firstly, consider the examples in section 3 when deciding whether your concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or Trust procedures, put people in danger or was an attempt to cover any such activity up.

##### **4.1 When to raise a concern**

Workers could be the first to realise that there may be something seriously wrong within a School or the Trust. Raising serious concerns is 'doing the right thing'. Where a worker has concerns, raising the concern is in the best interest of colleagues and of students within the school/Trust. Raising concerns will often aid the protection of children and be caring for other colleagues/workers.

##### **4.2 Who to report to**

In most circumstances the workers should raise concerns with their immediate line manager. However, if the worker does not feel this would be appropriate for whatever reason, an alternative is to raise the matter with a member of the senior leadership team at the school. The worker's decision on who to approach may depend on the seriousness and sensitivity of the issues involved and who is suspected of malpractice.

If the concern is about the Headteacher or the senior leadership of the school, the worker should report their concern to the Chief Financial and Operating Officer of the Trust or, alternatively, the Chair of the Salterns Academy Trust Board.

### **4.3 How to raise the concern**

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Workers raising a concern should also include details of any personal interest in the matter.

It is helpful for the following information to be provided: the background and history of the concern (giving relevant names and dates) and the reason why the worker is particularly concerned about the situation.

The Trust is committed to the highest possible standards of openness, probity, and accountability. Workers who have serious concerns about any aspect of the Trust's work are encouraged to come forward and voice those concerns on a confidential basis.

## **5. How the school/Trust will respond**

When a concern is received, the person receiving it - referred to from here as the 'recipient' - will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative
- Get as much detail as possible about the concern at this meeting and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal because of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy)
- Establish whether there is sufficient cause for concern to warrant further investigation.

If there cause for concern, the school/Trust may investigate further.

The recipient should arrange a further investigation into the matter by a senior member of staff or Trustee unconnected with the issue. In some cases, the Trust may need to bring in an external, independent body to investigate. In other cases, they may need to report the matter to the police.

The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps. Within 10 working days of a concern being received, the Trust will write to the worker:

- Acknowledging that a concern has been raised
- Indicating how it is proposed to deal with the matter
- Giving an estimate of how long it will take to provide a final response
- Telling the worker whether any initial enquiries have been made
- Telling the worker whether further investigations will take place and if not, why not.

The school/Trust accepts that the worker will need to be assured that the matter has been properly addressed and therefore the school/Trust will inform the worker of the steps that have been taken to resolve the matter as appropriate. Certain details may need to be restricted due to confidentiality.

## **6. Outcome of the investigation**

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether a referral is required to an external organisation, such as the local authority or police.

Beyond the immediate actions, the headteacher, Trustees and other staff if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing. The Trust will always try to deal with concerns fairly and in an appropriate way.

## **7. Malicious or vexatious allegations**

Workers are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the worker who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the Trust will consider whether any disciplinary action is appropriate against the person making the allegation.

## **8. Escalating concerns beyond the Trust**

The Trust encourages workers to raise their concerns internally, in line with section 4 of this policy, but recognises that workers may feel the need to report concerns to an external body. The Protect advice line, linked to in section 3 of this policy, can help workers when deciding whether to raise the concern to an external party. A list of prescribed bodies to whom workers can raise concerns with is included [here](#).

## **9. Roles and Responsibilities**

The Salterns Academy Trust, its' Local Governing Bodies and the Leadership Teams of its' schools have overall responsibility for ensuring that the Policy is managed appropriately.

The Headteacher and line managers within the school are responsible for making workers aware of the existence of this policy. The Headteacher will maintain a record of concerns raised and outcomes (in a form which does not endanger confidentiality) and will report to the relevant Local Governing Board and Salterns Academy Trust, as necessary.

Workers are responsible for making themselves familiar with and complying with this policy.

## **10. Approval**

This policy will be reviewed every two years. These procedures have been agreed by the Board of Directors of the Salterns Academy Trust, who will approve them whenever reviewed.