



St. Barnabas
MULTI ACADEMY TRUST
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Whistleblowing Policy

Approved by MAT Board

11th February 2019



Introduction

Every school should have a Whistleblowing Policy that protects staff members who report colleagues they believe are doing something wrong or illegal, or who are neglecting their duties.

This policy is a key part of 'Keeping Children Safe in Education' and should be considered in conjunction with our Child Protection and Safeguarding Policy and other relevant safeguarding policies. The policy is in addition to the complaints procedures.

The MAT is committed to the highest possible standards of openness, probity and accountability. As part of this commitment we expect employees who have serious concerns about any aspect of the school's work to come forward and voice those concerns.

This procedure makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. It is intended to encourage and enable employees to raise serious problems within the school rather than overlooking a problem or "blowing the whistle" outside.

The Board of Directors has allocated a director with specific responsibility for this procedure. This is the Chair of the Board of Directors.

Purpose of the Policy

Employees could be the first to realise that there may be something seriously wrong within an individual school or the MAT. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the school. They may also fear harassment or victimisation. In these circumstances the employee may feel it is easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The MAT is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, and others that we deal with, who have serious concerns about any aspect of the MAT's work to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This policy aims to encourage employees to feel confident about raising serious concerns and to question and act upon concerns about practice and to provide



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avenues for employees to raise those concerns and receive feedback on any action taken. The policy also aims to reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief and have made any disclosure in good faith.

This policy aims to:

- Encourage workers to feel confident in raising concerns
- Establish a fair and impartial investigative procedure
- Provide avenues for workers to raise concerns and receive appropriate feedback
- Ensure that workers receive a response to concerns and are aware of how to pursue them if they are not satisfied
- Ensure that workers will be protected from any reprisals or victimisation by the academy, provided that there is reasonable belief that the matter disclosed tends to show wrongdoing and that the disclosure has been made in an appropriate manner.

Scope

This policy applies to:

- All staff in the school whether paid or unpaid.
- Volunteers, directors, governors, supply staff, non-teaching staff and students.

It is also applicable to:

- Contractors working for the school on school premises, for example, agency staff, builders, drivers.
- Suppliers and those providing services under a contract with the school in their own premises.

What is whistleblowing?

Whistleblowing is the term used when a member of staff reports suspected 'wrong doing' at work. 'Wrong doing' covered by this policy includes:

- Causing a risk/ danger to children, young people and vulnerable adults
- Damage to staff, the public or the environment
- A criminal offence
- Unlawful conduct
- Financial malpractice
- Contravening the governing bodies/board policies or the schools code of conduct



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- Deliberate concealment of any of the above.

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

Any serious concerns that an employee may have about any aspect of conduct by employees of the school or others acting on behalf of the school may be reported under this policy. This policy does not replace the Complaints Procedure.

Which concerns do not fall within the remit of the policy?

This policy should not be used for complaints relating to staff's own personal circumstances, such as the way you have been treated at work. In those cases you should follow the Grievance Policy and Procedure which exists to enable an employee to lodge a grievance relating to his/her own employment.

If staff are uncertain whether something is within the scope of this policy they should seek advice from the Executive Principal and if the matter is in relation to an alleged wrongdoing by the Executive Principal then staff should seek the advice of Whistleblowing Director.

How to Raise a Whistleblowing Concern

The Director responsible for Whistleblowing is the Chair of the MAT Board.

Procedures for making a disclosure:

As a first step, you should normally raise your concerns with your Head of School. If you believe your Head of School is involved, you should approach the Executive Principal. This depends however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.

You may raise your concern either verbally or in writing. The earlier you express the concern, the easier it is to take action. You should provide:

- Details of your concerns, including the nature, dates and location of any relevant incidents.
- Reasons why you feel concerned about the situation.



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Although you are not expected to prove beyond doubt the truth of an allegation you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns. You may also discuss your concerns with your trade union representative on the staff of the school.

- Complaints will be investigated by the Head of School unless the complaint is in any way linked to the actions of the Head of School. In such cases the concern should be passed to the Executive Principal.
- Complaints against the Chair of Governors should be passed to the full governing body who will nominate an appropriate person to investigate.
- If there is evidence of criminal activity then the police will be informed.

Investigating Procedure:

- The investigating person will gather as much detailed written information as possible.
- They should inform the member of staff against who the complaint has been made as soon as is practicably possible. The member of staff will be informed of their right to be accompanied by a trade union or other representative at any future interview or hearing under the provision of these procedures.
- If the concerns are linked to safeguarding then the LADO will be contacted for guidance and advice. They will advise if a referral needs to be made via MARU.
- The Head of School/Whistleblowing Director will fully investigate with the assistance of other relevant bodies as appropriate.
- Once a judgement has been reached on the validity of the concern/allegation a written report will detail the findings of the investigation and the judgement.
- If the complaint is shown to be justified they will invoke the disciplinary or other relevant school procedures.
- If the LADO is involved then the procedures for managing allegations against staff will be followed.
- The complainant should be kept informed of the progress of the investigations, and if appropriate the final outcome.
- In any meetings that have a connection to the whistleblowing concern the complainant has the right to be accompanied by their trade union representative



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or a colleague (providing they are not involved in the issue and would not be called as a witness).

How the School Will Respond

- In order to protect individuals and those accused of malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle the school will have in mind is the public interest. Disclosure for which there are other specific procedures e.g. child protection or discrimination issues and will normally be referred to for consideration under those procedures.
- Some concerns may be resolved by agreed action without the need for an investigation. If urgent action is required, this will be taken before any action is conducted.
- Within 10 days of a concern being raised you will receive a response:
 - Acknowledging that the concern has been received
 - Telling you whether any initial enquiries have been made
 - Indicating how the matter is going to be dealt with
 - Giving an estimate of how long it will take to provide a final response
 - Supplying with details of staff support mechanisms
 - Telling you why if there is going to be no further action taken.
- The school will take steps to minimise any difficulties you may experience as a result of making a disclosure. For instance, if you are required to give evidence in criminal or disciplinary proceedings the school will arrange for you to receive advice about the procedure
- You will need to assure that the matter has been properly addressed. Therefore, subject to any legal constraints you will be informed of the outcomes of any investigation. You would be expected to keep this information confidential.

How the Matter Can Be Taken Further

This policy is intended to provide you with a route within school to pass on your concerns/make a disclosure of malpractice. The school hope is that you will be satisfied with the action they take. If however you are not satisfied and believe that your information has not been dealt with appropriately you can contact one of the following:

- Public Concern at Work
- NSPCC Whistleblowing helpline
- The External Auditor



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- Your trade union
- Ofsted
- The Police
- Local Authority Designated Officer (LADO) (safeguarding concerns)
- Education Funding Agency.

If you do take the matter outside of the school you should ensure that you do not disclose confidential information. An employee should not take concerns directly to the media.

Your Safety

The MAT recognises that the decision to report a concern can be a difficult one to make and the school, are fully committed to the assurances given in this policy. If you raise a genuine concern under the Whistleblowing Policy, you will not be at risk of losing your job or suffering any form of reprisal as a result.

The MAT will not tolerate any harassment or victimisation (including informal pressure) and will take appropriate action to protect employees when concerns are raised in good faith.

Any investigation into allegations of potential malpractice will not influence, or be influenced by, any disciplinary or redundancy procedures that already affect an employee.

Confidentiality

All disclosures will be treated in confidence and wherever possible, every effort will be made not to reveal your identity. However, you may need to come forward as a witness and you will be given every support from management at that time.

No code of confidentiality should prevent you from passing on any concerns that may impact on the safety and welfare of a child.



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Anonymous Disclosures

Employees are encouraged to put their name to allegations wherever possible. This is because concerns expressed anonymously are much more difficult to investigate. Therefore anonymous allegations will be considered at the discretion of the Head of School/Executive Principal in consultation with the Whistleblowing Director.

Untrue Allegations

If an employee makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against the employee. If however, the employee makes an allegation frivolously, maliciously or for personal gain, disciplinary action will be taken against the employee.