Hamwic Education Trust

Whistleblowing Policy

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1. Introduction

1.1 Hamwic Education Trust is committed to operating with honesty and integrity, and expects all employees to maintain high standards in accordance with our Code of Conduct. However, all organisations face 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 in order to prevent such situations occurring and to address them when they do occur.

1.2 The purpose of this policy is:

(a) To encourage individuals 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.

(b) To provide individuals with guidance as to how to raise those concerns.

(c) To reassure individuals 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 does not form part of any contract of employment or other contract to provide services, and we may amend it at any time.

2. Who is responsible for this policy?

2.1 The Trust has overall responsibility for the effective operation of this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

2.2 The DCEO has day-to-day operational responsibility for this policy and any questions about this policy should be referred to them in the first instance.

2.3 This policy is reviewed every 3 years.

3. Equal Opportunities

The Whistleblowing Policy must always be applied equitably and in accordance with employment law. Anyone who makes a disclosure will be fully supported and protected by the Trust and all disclosures will be treated in a consistent and fair way.

The Trust will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect who raise a concern in good faith.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures already taking place concerning the employee.

No action will be taken against anyone who makes an allegation in good faith, reasonably believing it to be true, even if the allegation is not subsequently confirmed by the investigation.

Support will be provided to an individual raising a concern in order to minimise any difficulties which they may experience. This may include advice on giving evidence if needed. Meetings may, if necessary, be arranged off-site and the individual will be given the opportunity of being represented if they so wish.

4. What is whistleblowing?

4.1 **Whistleblowing** is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

(a) Criminal activity

(b) Failure to comply with any legal or professional obligation or regulatory requirements

(c) Miscarriages of justice

(d) Danger to health and safety

(e) Damage to the environment

(f) Bribery

(g) Financial fraud or mismanagement

(h) Breach of our internal policies and procedures including our Code of Conduct

(i) Conduct likely to damage our reputation or financial wellbeing

(j) Unauthorised disclosure of confidential information

(k) Negligence

(l) The deliberate concealment of any of the above matters

4.2 A **whistleblower** is a person who raises a genuine concern relating to any of the above. If an individual has any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a **whistleblowing concern**) it should be reported under this policy.

4.3 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 Grievance Policy should be used.

4.4 If a complaint relates to an employee's own personal circumstances but they also have wider concerns regarding one of the areas set out at paragraph 4.1 above (for example, a breach of our internal policies), they should discuss with HR which route is the most appropriate.

4.5 If an employee is uncertain whether something is within the scope of this policy they should seek advice from the DCEO whose contact details are at the end of this policy.

5. Raising a whistleblowing concern

5.1 In many cases an employee will be able to raise any concerns with their line manager. They can do so in person or by putting the matter in writing if they prefer. They may be able to agree a way of resolving their concern quickly and effectively. In some cases they may refer the matter to the DCEO.

5.2 However, where the matter is more serious, or an employee feels that if concerns have not been addressed, the individual should contact the CEO, HET, outlining the concerns, the actions taken to date and the reasons for their dissatisfaction.

Contact details are set out at the end of this policy.

6. Confidentiality

6.1 It is hoped that employees will feel able to voice whistleblowing concerns openly under this policy. However, if they want to raise their concern confidentially, the Trust will make every effort to keep their identity secret. If it is necessary for anyone investigating an employee's concern to know their identity, this will be discussed with the employee.

6.2 Employees are not encouraged to make disclosures anonymously, although every effort to investigate anonymous disclosures will be made. Employees should be aware that proper investigation may be more difficult or impossible if further information cannot be obtained. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should contact the DCEO or one of the other contact points listed in section 11 below and appropriate measures can then be taken to preserve confidentiality. If an employee is in any doubt, they can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

7. Investigation and outcome

7.1 Once a concern has been raised, an initial assessment to determine the scope of any investigation will be carried out. The individual will be informed of the outcome of the assessment. The individual may be required to attend additional meetings in order to provide further information.

7.2 In some cases an investigator or team of investigators may be appointed, including employees with relevant experience of investigations or specialist knowledge of the subject matter. The investigator (or investigators) may make recommendations for change to minimise the risk of future wrongdoing.

7.3 The employee will be informed of the progress of the investigation and it's likely timescale. However, sometimes the need for confidentiality may prevent specific details of the investigation being given, an outcome or any disciplinary action taken as a result. Any information about the investigation should be treated as confidential.

7.4 If it is concluded that a whistleblower has made false allegations maliciously, and the whistleblower is a member of staff, the whistleblower will be subject to disciplinary action.

8. If the individual is not satisfied

8.1 While the outcome the individual is seeking cannot be guaranteed, concerns will be dealt with fairly and in an appropriate way.

8.2 If an employee is not happy with the way in which their concern has been handled, they can raise it with one of the other key contacts in section 11. Alternatively, they may contact the Chair of Governors/Trustees or our external auditors. Contact details are set out at the end of this policy.

9. External disclosures

9.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases an individual should not find it necessary to alert anyone externally.

9.2 The law recognises that in some circumstances it may be appropriate to report concerns to an external body such as a regulator. Individuals are encouraged to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

9.3 Whistleblowing concerns usually relate to the conduct of employees, but they may sometimes relate to the actions of a third party, such as a parent, supplier or service provider. In some circumstances the law will protect an employee if they raise the matter with the third party directly. However, employees are encouraged to report such concerns internally first, in line with this policy. Employees should contact their line manager or the DCEO in the first instance.

10. Protection and support for whistleblowers

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

10.2 Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an employee believes that they have suffered any such treatment, they should inform their line manager or the DCEO immediately. If the matter is not remedied they should raise it formally using our Grievance Policy.

10.3 Whistleblowers must not be threatened or retaliated against in any way. If a fellow employee is involved in such conduct they may be subject to disciplinary action. In some cases, the whistleblower could have a right to sue the fellow employee personally for compensation in an employment tribunal.

11. Contacts

11.1 Internal Contacts

Concern	Contact	Telephone Number	Email
Initial Concern	Raise with line manager		
Line manager to raise concern with DCEO	DCEO Gemma Carr	023 8078 6833	gemma.carr@hamwic.org
Line manager to raise concern with CEO in the absence of DCEO	CEO Robert Farmer	023 8078 6833	robert.farmer@hamwic.org
If unhappy with outcome received	Chair of Trustees Gary Plummer	023 8078 6833	

Or in writing for the attention of the above to:

Hamwic Education Trust
Unit E, The Mill Yard
Nursling Street
Southampton
SO16 0AJ

Should an individual have a whistleblowing concern relating to the CEO, Executive Team or the Trustees, they should address their concern to the Head of Governance louise.newman@hamwic.org

Or in writing for the attention of the above to:

Hamwic Education Trust
Unit E, The Mill Yard
Nursling Street
Southampton
SO16 0AJ

11.2 External Contacts

In the event that the matter cannot be satisfactorily resolved within the Trust, concerns may be escalated to:

- A member of the Governing Body or a Trustee
- Relevant trade union of professional association

- **Protect – Helpline 020 3117 2520, Independent whistleblowing charity, Website: https://protect-advice.org.uk**

- External Auditors: Bishop Fleming, Salt Quay House, 4 North East Quay, Sutton Harbour, Plymouth, Devon, PL4 0BN - 01752 262611.

In taking a concern externally, individuals must ensure that, as far as reasonably possible, the matter is raised without personal information relating to other employees, or confidential information about unrelated matters, being disclosed.

It is expected that individuals will follow the internal whistleblowing policy before referring the matter to an external organisation, except in very serious and exceptional cases.

12. Support for employees

- The Education Support Partnership - https://www.educationsupportpartnership.org.uk/
- Citizen's Advice Bureau - https://www.citizensadvice.org.uk/
- Trade Union or professional association where the employee is a member
- Confidential Counselling Service for Hamwic through Health Assured on 0800 023 4742

13. Recording and Monitoring

The Trust will maintain a register containing all concerns that are brought to its attention. The Trust will review the register and produce an annual report for the Board. The report

will include a summary of the concerns raised, to which school they related, the post to which the concerns related (if not confidential) and any lessons learned. The report will not include any employee names. The aim of this is to ensure that:

- The Trust and/or the relevant schools learns from mistakes, so they are not repeated, and
- Consistency of approach across the organisation.

Links to other polices and documents:

- Code of Conduct
- Complaints Policy
- Child Protection Policy
- Disciplinary Policy
- Grievance Policy