

## **WHISTLEBLOWING POLICY**

<b>LAST REVIEW DATE</b>	<b>May 2020</b>	<b>REVIEW PERIOD</b>	<b>3 Years</b>
<b>NEXT REVIEW DATE</b>	<b>February 2023</b>		
<b>TYPE OF POLICY</b>	<b>Statutory</b>	<b>APPROVAL LEVEL</b>	<b>Board</b>

## **1.0 Introduction**

The Parallel Learning Trust, (PLT or the Trust) is committed to the highest possible standards of openness and accountability and encourages employees to raise concerns of serious wrongdoing for instance acts of fraud, corruption, unethical conduct and malpractice without fear of reprisal.

The Trust wants everyone to feel confident about raising a concern regarding any such conduct or action and that this will be properly dealt with at the earliest opportunity and not overlooked or ignored.

To encourage and enable you to do this the Trust will ensure that anyone who uses this policy to raise a concern will be protected from any form of detriment, harassment or victimisation regardless of:-

- a) the content of the concern you raise
- b) with whom you raise the concern and
- c) whatever the outcome of raising the concern.

The Trust has established the following Whistle Blowing Policy which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

## **2.0 Who can raise a concern?**

If you undertake work for the Trust, whether you are an employee, a contractor, or a paid or unpaid volunteer, you can use this procedure to raise a concern

### **2.1 Definition of Whistleblowing**

Whistle blowing inside the work place is the reporting by workers or ex-workers, of wrongdoing such as fraud, mismanagement, breach of health and safety law or any other illegal act on the part of the management, the Academy Council or fellow employees.

### **2.2 Definition of the term 'Whistleblower'**

Throughout this policy, the term "whistle blower" denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the Second Report of the Committee on Standards in Public Life: Local Spending Bodies published in May 1996.

### **2.3 Raising unfounded malicious concerns**

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. However, if individuals raise malicious, unfounded concerns or attempt to make mischief, then this may constitute a disciplinary offence by such individual and/or result some other form of penalty appropriate to the circumstances to be imposed on such individual.

### **3.0 Who can concerns be raised about?**

You can raise a concern about the practice of anyone who undertakes work for, or on behalf of, the Trust. This includes employees of the Trust, contractors or volunteers.

#### **Academy Based staff**

In an Academy you would normally raise a concern with your direct line manager. If this was inappropriate then your Headteacher or Chair of your Academy Council should normally be contacted. If this is inappropriate then you also have the option to contact a more senior colleague as described in more detail under section 10.0 below. PLT have a legal responsibility to deal with any issues raised under the Whistleblowing Policy.

### **4.0 Is there anything that should not be raised through the whistleblowing policy?**

The policy should not be used to raise a concern about terms and conditions of employment which would be covered by the Grievance Procedure or matters that can be dealt with through other procedures. It is also possible that after raising a concern you might be advised about other agreed Trust policies or procedures which may be more appropriate to the nature of the concern.

There are existing procedures in place to enable individuals lodge a grievance relating to their own employment including issues relating to bullying. Whistleblowing must be in the public interest and meet the stated definition.

### **5.0 Misuse of the whistleblowing policy**

Raising a concern unreasonably, with malicious intent or for personal gain or the gain of others is not acceptable and may lead to disciplinary action under the Trust's Disciplinary Policy.

### **6.0 Confidentiality**

The Trust accepts that wherever possible the confidentiality and anonymity of anyone wishing to raise a concern will be protected from reprisals. There might however be occasions where your confidentiality cannot be protected, for example, where there is the involvement of the police. If there is any possibility that your confidentiality cannot be protected you will be informed about this and will be offered appropriate advice and support.

The Trust will not tolerate any attempt to victimise the 'whistle blower' or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

### **7.0 Anonymously raised concerns**

An investigation may be hampered by the inability to gain further information and the Trust would encourage you to provide some method of contacting you in case further information is required.

Concerns expressed anonymously will be investigated on the basis of their merits and at our discretion depending on the seriousness of the issues raised, the credibility of the concern or the likelihood of the allegation being confirmed from other sources.

## **8.0 Scope of the policy**

A concern can relate to any unethical or unprofessional conduct within the Trust. The policy not only covers acts that have actually occurred but also potentially unethical or unprofessional conduct. Below are some examples but please remember this is by no means exhaustive:-

- an actual or potential breach of the law
- possible or actual miscarriages of justice
- the actual or possible abuse (sexual or physical) of clients in the Trust's care
- potential or actual acts causing damage to the environment,
- acts or potential acts of fraud and corruption or the misuse of public funds
- acts that could have a detrimental effect on the health and safety of employees and/or the public
- actual or potential acts of harassment or bullying of, or by, someone working for the Trust
- actual or potential acts of racial or sexual discrimination
- Manipulation of accounting records and finances
- Decision-making for personal gain
- Any criminal activity
- Abuse of position
- Serious breaches of the Trust's Procedures which may advantage a particular party (for example tampering with tender documentation or failure to register a personal interest)
- any unethical conduct that causes concern or brings the reputation of the Academy and/or the Trust into disrepute or
- the deliberate concealment of information that would indicate any of the above

If you are in any doubt as to whether or not to raise a concern then confidential advice can be sought from PLT HR, your trade union representative or a more senior colleague such as Headteacher, Executive Headteacher, CEO or a Director of the Board.

Note:- If, when disclosing a concern you commit a criminal offence, you may lose your rights to protection from detriment. Again, if in any doubt seek advice from the sources named above.

## **9.0 What to consider when expressing a concern**

To enable your concerns to be dealt with in a proper and effective manner here are some guidelines for you to consider:-

- 1 Be as clear as possible about what the concern is and who and what it relates to. You may also want to discuss the concern with others to see if it is shared.
- 2 Be as clear as possible about who may be involved, when and where actions may have taken place etc. Make sure the facts are recorded i.e. record the dates and times

in a diary. This way you can be clear about what has actually been heard or seen and when, rather than rely on memory or hearsay.

- 3 Make sure you ask for your concerns to be dealt with under this procedure.

### **Safeguards against harassment or victimisation**

Whistleblowers raising matters of serious concern internally are protected from harassment, victimisation, disciplinary action or dismissal or any other disadvantage at work as a result of raising the concern (even if their disclosure or any wrongdoing or malpractice is not substantiated after investigation), provided they raise/disclose issues in the reasonable belief that they are doing so in the public interest. A person would not be protected from disciplinary action if, for example, they raised a concern they knew to be false or malicious.

The Trust will not tolerate harassment or victimisation and will take action as is necessary to protect employees when they raise concerns in the public interest under this policy.

## **10.0 How to raise a concern**

No matter with whom you raise your concern it will be dealt with under this procedure. If the person with whom you raise the concern feels it necessary they may want to refer your concern on to a more senior Trust employee, if appropriate. If this is the case you will be contacted first and have the opportunity to discuss any issues that may arise.

The Trust encourages the 'whistle blower' to raise the matter internally in the first instance to allow those Academy staff and Academy Council members in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity. The Trust has designated a number of individuals to specifically deal with such matters and the 'whistle blower' is invited to decide which of those individuals would be the most appropriate person to deal with the matter.

### As a First Point of Contact

A concern would normally be raised initially with your line manager. However, this may not always be possible, dependent on the nature of the concern and who is involved.

### Alternatively

If you feel unable to raise the matter with your line manager you may wish to contact a more senior colleague such as the Chair of your Academy Council, Headteacher, Executive Headteacher, CEO or a Director of the PLT Board.

If the issue is about a Head of Academy or Headteacher then the concern should be raised with the Executive Headteacher / CEO.

If the issue concerns one of the key areas listed below then the concern must be raised with the relevant Director / linked person with responsibility as listed below.

Where the concern relates to a member of the Board, the matter should be raised with Members (details can be obtained from Corinne Gould)

You may wish to refer your concern directly to one of the Trust team as listed below:-

<b>Name</b>	<b>Responsible Area</b>	<b>Area of speciality</b>
Richard Pugh (Director of PLT Board – Chair of Finance & Resources Committee)	Financial & Resources	Concerns regarding fraud, corruption or misappropriation of Trust assets. Concerns around premises, environmental safety or resources.
Mark Jordan (CEO)	Safeguarding	Issues relating to the care and welfare of children
Corinne Gould	HR	Concerns relating to the conduct of employees in general and specific issues of discrimination, harassment etc.
Mollie Warne	HR	Concerns relating to selection and recruitment
Richard Ashkettle	Health and Safety	Concerns relating to Health and Safety including specific breaches or general issues etc
Keith Richards & James Boampong	IT	Concerns relating to the misuse of information technology such as email and the internet

If the concerns are about the CEO these should be raised directly with the Chair of the PLT Trust Board (details for the current postholder and how to contact them are on the PLT website)

If the Concerns are about the Vice Chair these should be raised directly with the Chair of the PLT Trust Board (details for the current postholder and how to contact them are on the PLT website)

If the concerns are about the Chair these should be raised directly with one of the Members of the PLT Trust Board (details for the current postholders and how to contact them are on the PLT website)

## 11.0 The procedure to be followed

To ensure that all concerns raised are taken seriously and are fully investigated the Trust has agreed a procedure to be followed in all cases.

If, at any stage of the procedure, you are asked or wish to meet with someone addressing the concerns you have raised you have the option to be accompanied by a work place colleague, trade union representative or representative from a professional body.

When you first raise a concern:

- A) Concerns can be raised verbally or in writing. You will receive an acknowledgement of your concerns from the person to whom you have expressed them. This will be sent to you within 5 working days of being notified of your concern and, if you wish, can be sent to your home address.

The person to whom you have reported your concern will then decide how to progress. This may mean undertaking an investigation. This does not mean that the concern is either true or untrue, but will help to assess the gravity of the complaint and establish the facts. The investigation will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of school staff, legal or personnel advisors, the police, Local Education Authority or the DFE.

It could be possible that concerns raised may be the result of a misunderstanding or an authorised change in practice.

Records will be kept of work undertaken and actions taken throughout the investigation. The Investigating Officer(s), possibly in conjunction with the relevant governance (which may be either member(s) or the relevant Academy Council or Director (s) Chair of the PLT Board, as appropriate) will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third party referral such as the police. The 'whistle blower' will be informed of the results of the investigation and the action taken to address the matter. The matter will be reported to the Chief Executive Officer or the Chair of the PLT Board depending on the nature of the concern or allegation and whether or not it has been substantiated.

- B) Within 10 working days of making your concerns known you will either:-
- i) have a confidential meeting with the relevant person to further discuss your concerns
  - ii) or have received, in writing, an outline of how the relevant person intends to deal with the concerns raised
- C) Dependent on the nature of the concerns you may have subsequent meetings with the relevant investigating persons. These can be held "off-site" if desired.

## **12.0 The outcome of your concern**

Having raised the concern the Trust recognises that you will need to be assured that the issues have been dealt with. You will be kept informed on a regular basis of what actions are being taken and the final results of any investigations.

In some situations, such as referrals to external bodies, it may not be appropriate (or legally possible) to supply you with the full information discovered. However the reasons for this will be explained at that time.

## **13.0 Taking your concern further**

If you have gone through all these channels and you still have concerns, or feel that the issues have not been fully or appropriately addressed, you can contact the Chief Executive Officer or the Chair of the PLT Board or have them contacted on your behalf, to discuss your concern in confidence.

However you should not refer the matter outside the organisation without first ensuring that all other possible avenues have been exhausted.

## **14.0 And finally**

If you have a concern about the conduct of the Trust or the actions of anyone who provides work for the Trust be they employees, contractors or volunteers we want you to feel confident that you can bring it to the attention of others.

Only when people are prepared and feel able to report such concerns without the fear of reprisals can we have confidence in the integrity and honesty of the Trust.

This Whistle Blowing Policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and if necessary outside the management structure of the school. This document is a public commitment that concerns are taken seriously and will be fully investigate.