



SYNERGY
EDUCATION
TRUST

Whistleblowing Policy

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Scope of the policy

Employees are often the first to realise that there may be something seriously wrong within the School/Trust. **Normally, employees would be expected to raise any concerns initially with their Head in a school and the Chief Executive Officer if part of the central team in the Trust.** However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the School/Trust. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The Trust is committed to the highest possible standards of openness, professionalism 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 school's activities or those who work for the School/Trust, to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis and anyone who raises a concern is protected by the Public Interest Disclosure Act 1998.

This policy document makes it clear that you can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. This includes employees who blow the whistle should not be detrimental in the workplace such as be subject to closer supervision, demotion, suspension, denial of training (this list is not exhaustive) and those who sanction such behaviour will be subject to action. This Whistleblowing Policy is intended to encourage and enable employees to raise serious concerns within the School/Trust or externally about a danger, risk or malpractice or wrongdoing which affects others rather than overlooking a problem or "blowing the whistle" outside.

The policy applies to all employees and those contractors working for the Trust-on-Trust premises, for example, agency staff, builders, drivers. It also covers suppliers and those providing services under a contract with the Trust on their own premises or in other premises where services are delivered, for example Extended schools.

These procedures are in addition to the Trust complaints procedures and other statutory reporting procedures applying to the Trust and its schools.

All schools are responsible for investigating any disclosures under the whistleblowing policy, supported by the Trust as and when required.

If you would like to speak to someone informally about a concern, prior to raising an issue under the Whistleblowing Policy you may contact the Employee Assistance Programme on 0800 030 5182 or speak with Jacqueline Currey, Whistleblowing Contact on 01253 476513 in confidence.

Aims

This policy aims to:

- Encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
- Provide avenues for you to raise those concerns and receive feedback on any action taken;
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied;
- Reassure you that you will be protected by the school from possible reprisals or victimisation.

The Whistleblowing Policy is intended to cover major concerns that fall outside, or in a particular instance do not appear to have been properly addressed within, the scope of other procedures. These include:

Conduct, which is an offence or a breach of the law.

- Failure to comply with a legal obligation
- Disclosures related to miscarriages of justice;
- Health and safety risks, including risks to the public as well as other employees;
- Damage to the environment;
- The unauthorised use of public funds;
- Possible fraud and corruption;
- Sexual or physical abuse of clients, or
- Child Protection concerns
- Other unethical conduct.
- Deliberate covering up of information relating to the above

It should be noted that this Policy is intended to assist employees who believe they have discovered malpractice or impropriety. It is not designed to question financial or management decisions taken by the school, nor should it be used to consider any matters, which have already been, or are currently being

addressed under other procedures such as Complaint's procedure, Disciplinary and Grievance and Equality Policies (breaches of an employee's own contract of employment should be raised as a Grievance).

Thus, any serious concerns that you have about any aspect of the Trust/School's provision or the conduct of colleagues/employees of the school or members of the Trust Board/ Governing Body or others acting on behalf of the Trust/ School can be reported under the Whistleblowing Policy. This may be about something that:

- Makes you feel uncomfortable in terms of known standards, your experience or the standards you
- believe the school subscribes to; or
- Is against the School's policies; or
- Falls below established standards of practice; or
- Amounts to improper conduct.

Legislation

The requirement to have clear whistle-blowing procedures in place is set out in the Academy Trust Handbook.

This policy has been written in line with the above document, as well as government guidance on whistle-blowing.

This policy complies with our funding agreement and articles of association.

Safeguards- Harassment or Victimisation

The Trust is committed to good practice and high standards and wants to be supportive of employees.

The Trust recognises that the decision to report a concern can be a difficult one to make especially for staff who are new to the School/Trust. If what you are saying is true, or your suspicions are reasonable, you will have nothing to fear because you will be doing your duty to your employer and to those for whom you are providing a service. In fact, you may be making yourself vulnerable if you do not raise the alarm.

The Trust will not tolerate or allow any form of bullying, harassment, victimisation or discrimination (including informal pressures) and will take appropriate action to protect you when you raise a concern. If there are any intimidatory threats or

instances of harassment/victimisation/discrimination against a 'whistle-blower' the Trust will take appropriate disciplinary action against the individual(s) concerned.

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

Confidentiality

All concerns will be treated, as far as possible, in the strictest confidence and every effort will be made not to reveal your identity if you so wish. However, if your concerns require any further action, you may at some future date have to act as a witness and/or provide evidence.

In some cases, confidentiality may not be possible. For instance, if you report abuse or a criminal offence, then the person you tell may have to take some action. If it does become necessary to reveal your identity, you will be consulted before this action is taken. If there is an unauthorised disclosure of your identity, disciplinary action may be taken against that individual.

Anonymous Allegations

This policy encourages you to put your name to your allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Trust/School.

In exercising this discretion, the factors to be taken into account would include:

- The seriousness of the issues raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources.

It should be noted that anonymous whistle-blowers will not be able to receive feedback and that actions taken to look into the disclosure could be limited.

Untrue Allegations

If you make an allegation but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

How to raise a concern

As a first step, school staff should normally raise concerns with the Head Teacher. For the Trust central team this would be the CEO.

If you believe that the Head Teacher is involved, you should approach the Chair of Governors in the first instance who may, depending on the circumstances, have to liaise with the Chief Executive Officer. In allegation against the CEO then this should go to the Chair of Trustees.

Concerns should be raised in writing. Staff who wish to make a written report are invited to use the attached Form P11 at Appendix 1 which enables you to identify:

- The background and history of the concern (giving relevant dates);
- The reason why you are particularly concerned about the situation.
- The earlier you express the concern the easier it is to take action.

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. Evidence does not need to be provided for your concerns to be raised and considered. Remember, if in doubt, raise it.

You may wish to consider discussing your concern with a colleague or your Trade Union Representative, if appropriate first as you may find it easier to raise the matter through someone you trust.

You may invite your trade union, or a colleague to be present during any meetings or interviews in connection with the concerns you have raised.

How the Trust/school will respond

The Trust/school will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

Where appropriate, the matters raised may:

- Be investigated by appropriate representatives, internal audit, or through the disciplinary process;
- Be investigated under another procedure i.e., Child Protection/Safeguarding

- Be referred to the Police;
- Be referred to the external auditor;
- Form the subject of an independent inquiry (See Appendix 2);
- or a combination of these.

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle, which the school will have in mind, is the public interest.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

- Within ten working days of a concern being raised, the Headteacher/Chair of Governors will write to you in confidence:
- Acknowledging that the concern has been received;
- Indicating how we propose to deal with the matter;
- Giving an estimate of how long it will take to provide a final response;
- Telling you whether any initial enquiries have been made;
- Supplying you with information on staff support mechanisms, and
- Telling you whether further investigation will take place and if not, why not.

Every effort will be made to ensure that your concerns are dealt with as speedily as possible and you are kept informed of progress made.

The amount of contact between the officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the school will seek further information from you.

Where any meeting is arranged, off-site if you so wish, a trade union representative or a colleague can accompany you.

The school will take steps to minimise any difficulties, which you may experience as a result of raising a concern. 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.

The school accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

The Responsible Officer

The Head Teacher/Chair of Governors has overall responsibility for the maintenance and operation of this Policy. He/she will maintain a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to the school.

How the matter can be taken further

Disclosure to Regulatory Bodies

This procedure is intended to provide you with an avenue within the school to raise concerns. If you feel that your concern has not been dealt with satisfactorily and that it is right to take the matter outside the school, then you should seek advice from the internal contact point in the first instance. If you still feel that the matter has not been dealt with satisfactorily then there are a number of possible external contact points, further details of which are given in Appendix 3.

A disclosure to a regulatory body will be protected if you have a reasonable belief that malpractice has occurred, is occurring or is likely to occur and you honestly and reasonably believe that the information and any allegation within it are substantially true. If you do take the matter outside of the Trust, you should ensure that you do not disclose confidential information. Please check with your internal or external contact for clarification on these points.

Links with other policies

This policy links with our policies on:

Grievance policy

Complaint's procedure

Child protection policy

APPENDIX 1 – P11 Form

----- School

Report Made Under the Whistleblowing Procedure

The school is committed to the highest possible standards of openness, professionalism 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 Council's work, to come forward and voice those concerns.

Description of the Concern

Where possible include:

- Dates of incidents
- Who was involved
- Why this is a concern
- Whether there are any other witnesses
- Whether you have tried to raise this with your manager
- What the result was

Continue on separate sheet if necessary.

You are encouraged to put your name to this report. Concerns expressed anonymously are much harder to investigate but will be considered at the discretion of the Head Teacher

Name:

Date:

Address:		Contract Telephone No.:	
To be completed by Designated Officer on Receipt of Report			
Department:		Reference:	
Date of Report:		Designated Officer:	

ON COMPLETION THIS FORM SHOULD BE SENT TO THE HEAD TEACHER/CHAIR OF GOVERNORS IN A SEALED ENVELOPE MARKED PRIVATE AND CONFIDENTIAL.

Appendix 2- steps in making a disclosure

