



Trust Whistleblowing Policy

The Board of Trustees will review this policy on an annual cycle

Person responsible for the Policy:	Chair of Trustees
Colleagues affected by this Policy:	All Trust stakeholders
Approved and adopted by Trustees:	March 2020
Next Review:	March 2021

SUPPORTIVE, EMPOWERING, ASPIRATIONAL, VISIONARY, INCLUSIVE, ETHICAL, WELCOMING

INTRODUCTION

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

Employees are often the first to realise that there may be something seriously wrong within an Academy or Trust. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the organisation, additionally they may fear harassment or victimisation. In these circumstances it may be easier to ignore a concern rather than report what may just be a suspicion of malpractice.

The policy document makes it clear that the Trust will support anyone expressing their concern, providing reassurance that this can be done without fear of victimisation, subsequent discrimination or disadvantage. It is also intended to encourage and enable stakeholders to raise serious concerns **within** the Trust wherever possible, rather than overlooking a problem or 'blowing the whistle' outside.

Who the Policy Applies to

The policy applies to all volunteers, employees, Governors, Trustees and Members. Additionally, it applies to contractors working for the Trust school or on its premises e.g. agency staff, builders, drivers), suppliers and those providing services under a contract with the Trust at their own premises.

These procedures are in addition to the Trust's complaints procedures and other statutory reporting procedures applying to all the organisations within The Sea View Trust. All staff are responsible for making service users aware of the existence of these procedures.

AIMS AND SCOPE OF THIS POLICY

This policy aims to ensure that stakeholders:

- Have an appropriate avenue to raise concerns and receive feedback on actions taken
- Feel able to question and act upon concerns, and are confident about raising serious concerns regarding practices within the Trust
- Receive a response to concerns raised and are aware of how to pursue them if not satisfied with the outcomes
- Are reassured that they will be protected from possible reprisals or victimisation
- Have a reasonable belief that any disclosure made is in good faith

There are existing procedures in place to enable the lodging of any grievance relating to employment. The whistle-blowing policy is intended to cover major concerns that fall outside the scope of other procedures. These include:

- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as employees
- Damage to the environment
- Unauthorised use of public funds
- Possible fraud and corruption
- Sexual or physical abuse of learners
- Unethical conduct

Any serious concern about any aspect of service provision, or conduct of members of the Trust (or others acting on behalf of the Trust), can be reported under the whistle-blowing policy. This may be in relation to:

- An act that contradicts known standards, experience of standards or the standards believed to be those that the Trust subscribes to
- Contravention of the Trust's code of conduct or a Trust policy
- Falling short of established standards of practice

*Note: This policy does **not** replace the appropriate Complaints Policies.*

SAFEGUARDS

Harassment or Victimisation

The Trust is committed to good practice, high standards and is supportive of all. It recognises that the decision to report a concern can be a difficult however, if legitimate, then there is nothing to fear because the report of such a concern is a moral and statutory duty.

The Trust will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to provide protection when concerns are raised in all good faith.

Any investigation into allegations of potential malpractice will not influence, or be influenced by, any disciplinary or redundancy procedures that may already be in effect.

CONFIDENTIALITY

All concerns will be treated in confidence and every effort will be made not to reveal any identities. At the appropriate time, however, there may be a need for an individual to come forward as a witness.

ANONYMOUS ALLEGATIONS

This policy encourages any concerns not be submitted anonymously as they are much less powerful. However, such concerns will be considered, at the discretion of the Trust.

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

- The seriousness of the concern raised
- The credibility of the concern
- The likelihood of confirming that the allegation is from an attributable source

6. UNTRUE ALLEGATIONS

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

RAISING A CONCERN

As a first step, a concern would normally be made with an immediate manager (if an employee) or the relevant Academy Headteacher. However, this depends on the seriousness and sensitivity of the concern and who is suspected of the malpractice. For example, if it is believed that a manager or senior manager is involved, then the following may be approached as appropriate:

- The Chair of Governors
- The Chair of Trustees
- The Trustee responsible for Finance
- The Trust Board appointed Internal Auditor (Responsible Officer)

Concerns may be raised verbally or in writing. In both cases the following information should be provided:

- The background and history of the concern
- Relevant dates
- The reason for particular concern

Although it is not expected for the person raising the concern to prove beyond doubt the truth of an allegation, it will need to be demonstrated (to the person contacted) that there are reasonable grounds for the concern. Additionally, the earlier that a concern is expressed, the easier it is to take appropriate action.

Consideration may be given to initially discussing a concern with a third person. This is because it may be easier to raise the matter if there are two (or more) who have had the same experience, or expressed the same concerns.

It may be possible to invite a trade union, professional association representative or a friend to be present during any meetings or interviews in connection with the concerns raised. This should be discussed with the person to whom you are raising the concern so that an agreement can be made and appropriate arrangements can be put in place.

Further advice and guidance about how to pursue matters of concern in an education setting can be obtained by contacting the relevant Local Authority. However, if ultimately it is felt that the matter must be taken to an external agency, possible contacts are listed at the end of this policy.

HOW THE TRUST WILL RESPOND

The Trust will respond to all concerns although testing out a concern is not the same as either accepting or rejecting it.

Where appropriate, the matters raised may be:

- Investigated by management, internal audit, or through the disciplinary process
- Referred to the police
- Referred to the external auditor
- The subject of an independent inquiry

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 for the Trustees and Academy Leadership Teams will be that of 'public interest'. Concerns or allegations which fall within the scope of specific procedures (e.g. child protection concerns, discrimination matters) will normally be referred for consideration under those separate procedures.

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 responsible person will write to:

- Acknowledge that the concern has been received
- Indicate how it is proposed to address the matter
- Provide an estimate of how long it will take to issue a final response
- Advise whether any initial enquiries have been made
- Confirm details of any support mechanisms available
- Inform whether any further investigations are going to take place and if not, why not

The amount of contact between those reviewing the concern, and the person (s) reporting them will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. Where required, the Trust will seek further information in order for a full review to be conducted.

Where any meeting is arranged off-site, a union representative, a professional association representative or a friend may accompany.

The Trust is committed to taking all reasonable steps to minimise any difficulties which may be experienced as a result of raising a concern. For instance, if a person is required to give evidence in criminal or disciplinary proceedings, the Trust will arrange for appropriate advice to be offered about the procedure.

The Trust fully accepts that assurances will need to be provided to confirm that any matters have been properly addressed. Thus, subject to legal constraints, the outcome of any investigations will be advised.

THE MONITORING OFFICER

The Chair of Trustees (who is also responsible for monitoring any Whistleblowing incidents) has overall responsibility for the maintenance and operation of this policy. The Chair will maintain a record of any concerns raised and the outcomes (but in a form which does not endanger confidentiality) and will report as necessary to the Members, Board of Trustees and School Governors.

HOW A MATTER CAN BE TAKEN FURTHER

This policy is intended to provide an avenue within the Trust to raise concerns and the Board is committed to providing satisfactory outcomes to any matters raised. However, individuals have a right to take matters further where they consider it appropriate and the following are possible contact points:

- Public Concern at Work, a registered charity, services are free/ strictly confidential
- The Trust's appointed external auditor
- A Trade Union
- The local Citizens Advice Bureau
- Relevant professional bodies
- Relevant regulatory organisations
- Relevant voluntary organisations
- The police

If a matter is taken outside the Trust, care must be taken not to disclose confidential information. Further guidance and clarification in relation to this can be sought from the relevant point of contact.