



Whistleblowing Policy

**Effective Date:
December 2019**

DOCUMENT CONTROL

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Document Reference	Whistleblowing Policy	
Version	01	
Status	Approved	
Publication Date	December 2019	
Related Policies	Disciplinary Policy Grievance Policy Child Protection Policy Trust Financial Procedures	
Review Date	December 2022	
Approved/Ratified by	Resources Committee	Date: November 2019
<p>Distribution: Future Schools Trust Staff</p> <p>Website: No</p> <p>Please note that the version of this document contained within the VLE/School Website is the only version that is maintained.</p> <p>Any printed copies should therefore be viewed as “uncontrolled” and as such, may not necessarily contain the latest updates and amendments.</p>		

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1 INTRODUCTION

1.0 Future Schools Trust (the “Trust”) seeks to run all aspects of the Trust business and activities with full regard for members of Academy staff, parents, governors or the school community at large become aware of activities which give cause for concern, the Trust has established the following whistle blowing policy, or code of practice, 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

1.1 The Trust expects the highest standards from all employee and will treat seriously any concern that an employee may have about illegal or improper conduct. Throughout this policy, the term ‘whistleblower’ 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 his report on Standards in Public Life (1966).

1.2 The Public Interest Disclosure Act 1998 is in force and affords statutory protection to ‘whistleblowers’ in certain circumstances. Under the Public Interest Disclosure Act, a worker has the right not to suffer detriment or be unfairly dismissed as a result of speaking out about malpractice. If an employee is dismissed solely in these circumstances s/he is likely to be treated by an Employment tribunal as unfairly dismissed.

1.3 The overriding principles which the Trust will have in mind is the public interest. Concerns or allegations which fall within the scope of other specific procedures (for example child protection or discrimination issues) will normally be referred for consideration under those procedures.

1.4 This procedure can be used by any person who works or who has worked for the school regardless of whether:

- the work was full or part time; or
- the work was temporary or permanent; or
- an employment agency was involved; or
- the person involved was a trainee or on work experience; or
- the person involved was working for a contractor.

2.0 WHEN SHOULD IT BE USED?

2.1 There are existing procedures in place to enable employees to lodge a grievance/harassment complaint relating to their own employment. Employees will generally be precluded from being able to “blow the whistle” about breaches of their own employment contract. This Whistleblowing procedure is intended to cover concerns that fall outside the scope of other procedures which may include:

- serious breaches of school procedures which may advantage a particular party including failure to register a personal interest
- abuse of position
- concerns about poor or unsafe practice, including in relation to the care and protection of a pupil or pupils (see Safeguarding and Child Protection Policy)
- conduct which suggests extremism or radicalisation of other staff or pupils
- manipulation of accounting records and finances
- fraud, deceit or other financial irregularities including inappropriate use of school assets or funds

- decision-making for personal gain
- actions which endanger the Health and Safety of others or the environment
- other unethical conduct disclosures related to actual or potential miscarriages of justice
- bribery or corruption or criminal activity
- failure to comply with any legal or professional obligation or regulatory requirements
- conduct likely to damage the School or Trust's reputation
- misuse of sensitive information
- deliberate attempts to conceal any of the above

2.2 Any concerns that employees or others have about any aspect of service provision or the conduct of employees, governors or elected Members of the school, or others acting on behalf of the Trust or one of its Schools, can be reported under the Whistleblowing Procedure. This may be about:

- something that makes them feel uncomfortable in terms of known standards, their experience or the standards they believe the Trust or one of its Schools subscribes to
- something that is against the Trust/School Procedures, Rules and Policies
- something that falls below established standards of practice
- something that amounts to improper conduct
- the unauthorised use of public funds
- fraud and corruption
- homophobic, racial, religious, sexual or physical abuse of clients, staff, governors/members
- other unethical conduct

2.3 The employee or other must have a reasonable belief that the information they disclose and any allegation contained in it are accurate. When it is apparent from the investigation that the person making the disclosure has acted frivolously, maliciously or for personal gain, the School may decide to take disciplinary action against them. If the disclosure itself amounts to a criminal offence, this Procedure will not protect the employee from the consequences of that criminal offence.

2.4 The employee or other who is not sure whether the conduct s/he is concerned about does constitute illegal or improper conduct, or is unsure how to proceed, can contact the following for advice:

- Chief Executive Officer
- Headteacher
- HR Manager

2.5 Trust Financial Procedures require employees who suspect fraud, corruption or other financial irregularity, to ensure this is reported to the Headteacher for possible investigation. Normally, the employee must first report any suspicion of such irregularity to their Headteacher, who will in turn report it to the chair of governors. In most cases this will be done through the line management structure. Exceptionally, if employees believe the matter cannot be resolved in this way, they should report it direct to the chair of governors.

3.0 WHAT ACTIONS SHOULD THE WHISTLEBLOWER TAKE?

3.1 If an employee has a concern they will need to exercise a judgment regarding the person

who should be approached with the issue. If the matter is minor, then it may be enough just to bring it to the attention of the that person to give them the opportunity to provide an explanation for their behaviour or activity. The alternative would be raising the concerns directly through school line management channels.

3.2 If the matter is obviously more significant, or where a previous informal approach as above has apparently not proved effective or been disregarded, the Trust has designated a number of individuals to specifically deal with such matters and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter:

- Academy Headteacher
- Academy Chair of governors
- Chair of Trustees

If the matter relates to both Headteacher and the Chair of Governors then the issue should be referred to the DfE.

3.3 Exceptionally, if the employee or other feels unable to pursue any of these routes, s/he should consider approaching an appropriate body outside the School. Such bodies include:

- The independent charity "[Protect-advice](#)" for whistleblowing advice (call 020 3117 25200) which offers free confidential advice to employees and others with serious concerns about public dangers and malpractice
- The employee's Trade Union

If the employee does take the matter outside the school/Trust, s/he needs to ensure that confidential information is not disclosed or that disclosure would be privileged. It is suggested the employee checks this with the contact person at the outside body.

3.4 Depending on the nature of the concern, the employee may be asked to explain, and where possible, justify and support the claim. An employee will not be expected to prove the truth/accuracy of an allegation but will need to demonstrate to the person contacted that there are sufficient grounds for concern. Normally the employee will be asked to do this in writing, or agree to a written summary prepared by the person notified. It would therefore be helpful for the employee, if possible, to note down any facts and dates as they happen.

4.0 HOW WILL THE MATTER PROGRESS?

4.1 The individual in receipt of the information or allegation will carry out a preliminary investigation. This 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 information, advice or assistance, for example involvement of other members of Academy staff, governor, trustees, legal or HR advisors, the police or the Department of Education.

4.2 Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer, possibly in conjunction with the governing body, 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.

4.3 The whistleblower will be informed of the results of the investigation in writing and the action taken to address the matter within 10 working days of a concern being raised (wherever

possible). Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the Governing Body.

4.4 If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the investigation officer or the Governing body. If the whistleblower remains unsatisfied with the action, they have the right to take the matter outside of the school. The following are possible contacts:

- The whistleblower's Trade Union
- The independent charity "[Protect-advice](#)"
- Relevant professional bodies or regulatory organisations
- The police

5.0 WHAT TO DO IF AN ISSUE IS RAISED WITH YOU AS LINE MANAGER?

5.1 You must exercise judgment, depending on the nature and seriousness of the concern. While it is essential for problems to be tackled effectively with the aim of rectifying the issue, this may well be best achieved in less serious cases by discussion with the relevant section or employee and securing a commitment as to future standards and corrective action. In taking any corrective action, you must, as far as practicable, respect an employee's (as a whistleblower) request for confidentiality, and avoid the threat of recrimination or reprisals. You should notify your own line manager in writing of the action you have taken.

5.2 In other more serious cases, you should pass the matter up to the Headteacher or chair of governors of your school. If you believe that school management is involved, you should approach your union.

5.3 If you have any doubts about the right way to deal with the concern, you should contact one of the persons named in paragraph 3.2 above for advice.

5.4 All employees should be reassured that their concerns will be treated seriously and sensitively, and that Trust will not tolerate harassment and/or victimisation of any employee raising concerns.

6.0 RESPECTING CONFIDENTIALITY

Wherever possible the Trust seeks to respect the confidentiality and anonymity of the whistleblower and will as far as possible protect him/her from any reprisals. At the appropriate time, however, the whistleblower may need to come forward as a witness. The Trust will not tolerate any attempt to victimise the whistleblower or attempts to prevent concerns being raised.

7.0 RAISING UNFOUNDED MALICIOUS CONCERNS

Individuals are encouraged to come forward in good faith with genuine concerns in the knowledge they will be taken seriously. If individuals raise malicious, unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence.

8.0 THE PUBLIC INTEREST DISCLOSURE ACT 1998

This legislation aims to protect workers who make "qualifying disclosures" of malpractice in their organisation from victimisation as a result of making such a disclosure. It is automatically unfair to dismiss an employee or select him/her for redundancy because s/he made a disclosure,

provided that the disclosure qualifies under the Act.

A qualifying disclosure must relate to:

- A criminal offence
- A failure to comply with any legal obligation
- A miscarriage of justice
- Danger to health and safety of any individual
- Damage to the environment
- An attempt to cover up any of the above.

Any disclosure must be made in good faith and not for personal gain. The employee does not have to prove that malpractice has occurred, simply that s/he has a reasonable belief that it took place or was about to take place.

The Act directs workers to raise their concerns internally in the first place, wherever their employer has a procedure for doing so. In certain cases, the Act also protects disclosure to “prescribed regulators” such as the Audit Commission.

The Act only protects wider disclosure (e.g. to the media, an MP etc.) if:

- the employee reasonably believed they would be victimised if they had raised the matter internally or with a prescribed regulator;
- there was no prescribed regulator and they reasonably believed the evidence would be concealed;
- the concern had already been raised with the employer or prescribed regulator;
- the concern was exceptionally serious.

This document is a public commitment that concerns are taken seriously and will be actioned.

Whistleblowing (summary information for staff)

Have you seen or heard something at work that worried you?

- serious breaches of school procedures which may advantage a particular party including failure to register a personal interest
- abuse of position
- concerns about poor or unsafe practice, including in relation to the care and protection of a pupil or pupils (see Safeguarding and Child Protection Policy)
- conduct which suggests extremism or radicalisation of other staff or pupils
- manipulation of accounting records and finances
- fraud, deceit or other financial irregularities including inappropriate use of school assets or funds
- decision-making for personal gain
- actions which endanger the Health and Safety of others or the environment
- other unethical conduct disclosures related to actual or potential miscarriages of justice
- bribery or corruption or criminal activity
- failure to comply with any legal or professional obligation or regulatory requirements
- conduct likely to damage the School or Trust's reputation
- misuse of sensitive information
- deliberate attempts to conceal any of the above

If you genuinely believe something may be wrong, even if you're not absolutely sure, we want to know. In the first instance, please raise the issue with:

	Cornwallis	New Line Learning	Tiger Primary School
Headteacher	Isabelle Linney-Drouet	Paul Murphy	Hayley King
Trust Director of Finance	Carly Johnson		

If you do not wish to talk to one of the above, please contact:

Chair of Trustees - Marilyn Hodges (marilyn.hodges@futureschoolstrust.com)
Trust Auditors - William Giles (Tel: 01795 478044; Email: admin@williamsgiles.co.uk)

If you feel unable to pursue any of these routes, you may consider approaching an appropriate body outside the School. Such bodies include the independent charity "[Protect-advice](#)" for whistleblowing advice (call 020 3117 25200) which offers free confidential advice to employees and others with serious concerns about public dangers and malpractice or your Trade Union

For general details about whistleblowing, see the Whistleblowing Policy on the staff shared area. For details regarding Whistleblowing in relation to safeguarding, see the Trust Safeguarding and Child Protection Policy.