



SCHOLARS ACADEMY TRUST

Fulfilling every child's potential

Whistle Blowing Policy

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Review August 24

Signed: 

Chair of the Trust

Date: November 2022

Whistle Blowing Policy

Purpose

Scholars Academy Trust is committed to the highest standards of openness, probity and accountability. In line with this commitment, the school encourages and enables employees to raise promptly (disclose) any serious concerns they may have about the activities of employees, Governors/Trustees, or external organisations in relation to their dealings with the school, without worrying about doing so. This also applies to concerns about the activity of staff, Trustees, Governors and external organisations in their dealings with the school. Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work.

This policy:

- Enables employees to raise any concerns they may have and to receive feedback about the outcome of any resulting investigation. It is important to note that the employee will not receive detailed information regarding the investigation or any actions taken,
- Allows employees to understand how and where to escalate their concerns if, following the completion of any internal processes, their concerns remain,
- Protects employees from reprisals or victimisation for 'whistleblowing' in good faith.

This policy is for disclosing matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, they should use the Trust's grievance procedure.

To qualify as a protected disclosure it may be one of the following that is either already happening, has happened, or is likely to happen in the future:

The concern may be about something that is:

- A criminal offence or is potentially unlawful,
- A miscarriage of justice,
- Regarding the application of the Schools policies or operating procedures,
- An act of fraud or corruption,
- Seems likely to cause damage or harm to a member of the public, the School, employees or the pupils,
- an act creating a risk to health and safety,
- an act causing damage to the environment,
- A breach of any other legal obligation,

Or

- A deliberate attempt by an individual or group of people to conceal any of the above.

Confidentiality

The identity of employees who raise concerns will be protected as far as practicable. However, the investigation may, out of necessity, reveal the source of the information, and statements made by the employee(s) who raised the issue may comprise part of any formal process, for example if a formal process/hearing is required.

Employees are encouraged to put their name to any allegations made. Concerns expressed anonymously will be considered at the discretion of the school, taking into account:

- The seriousness of the issues raised,
- The credibility of the concern,
- The likelihood of the allegation being substantiated, and
- Whether it is considered that the allegations are untrue/false.

Employees who raise an issue in good faith under this policy are protected by the Public Interest Disclosure Act 1998 from any repercussions on their present position or future career. The Act does not protect anyone who is acting maliciously, making false allegations or who is seeking personal gain. The School does not tolerate any form of harassment or victimisation against an individual raising a concern.

Raising a Concern

Who can raise a concern?

Any individual who currently works for or who has previously worked for the Trust/ school may raise a complaint. In addition, a complaint may also be raised under the policy by an individual who works for an organisation that provides a service to the Trust such as agency workers, volunteers and Governors/Trustees.

How to raise a concern:

Concerns can be raised verbally or in writing. It is important that the employee provides as much detail as possible (including specific names, dates and places where known).

Who to raise your complaint with:

Employees should normally raise concerns with their headteacher in the first instance. However, this will depend on the nature of the concern, the seriousness and sensitivity of the issue, and who is allegedly involved.

Employees who feel unable to approach their Headteacher. Where the concerns being raised relate to the Headteacher, employees may contact a member of the Local Governing Body. Trade Union members may wish to contact their union representative for assistance or advice on raising an issue.

Where an employee is concerned that the Governing Body is acting or proposing to act unreasonably or has failed to discharge its duties, this can be raised as a whistleblowing concern. Employees who do not wish to raise their whistleblowing concern with the school directly can contact the Chair of the Trust Alternatively, employees can contact the Secretary of State for Education via the DfE and/or Ofsted (Tel: 0300 123 3155 or via email: whistleblowing@ofsted.gov.uk).

Alternatively where concerns are of a serious nature and criminal activity is suspected, employees have the right to raise issues directly with the Police or other relevant agency as they see fit.

Response

The action taken will depend on the nature of the concern. The matters raised may :

- Be investigated internally,
- Be investigated by a third party (such as HR),
- Be referred to the School External Auditor,
- Be referred to the Police, or
- Form the subject of an independent inquiry.

In order to protect individuals and Scholars Academy Trust, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Allegations which fall within the scope of specific procedures (e.g. child protection or unlawful discrimination issues) will be dealt with under relevant policies where appropriate.

Some concerns may be resolved by agreed action without the need for an investigation.

The person with whom the issue was raised will write to the employee (within 10 working days of receiving the complaint) to:

- acknowledge that the concern has been raised;
- indicate how it proposed to deal with the matter;
- advise whether further investigations will take place and if not, why not and
- confirm where possible, giving an estimate of how long it will take to provide a final response.

If necessary, further information will be sought from the employee regarding the concern. The employee will have the right to be accompanied at any meetings by a Trade Union representative or work colleague.

Outcomes of the Investigation

If an investigation is warranted, the employee will be informed about the outcome of any investigation but not the detail of the investigation or any action taken against another employee (e.g. disciplinary action).

The employee who raised the concern has no right of appeal against the outcome of the investigation, however, if the employee is not satisfied with the outcome of the investigation and wishes to take the matter outside the school, they may contact:

- For safeguarding issues only, Leicestershire County Council's Allegations Manager (LADO) (Tel: 0116 3054141),
- Their local Councillor (for employees who live in the area of the school),
- Relevant professional bodies or regulatory organisations; (Department for Education, EFA, Ofsted, HM Revenue and Customs),
- The Police,
- The whistleblowing charity, Protect (Tel: 020 3117 2520),
- The National Audit Office (Tel: 020 7798 7999).

When taking the matter outside of the School, the employee must ensure that they do not disclose any confidential information about the school or its employees and pupils which is not relevant to the issue.

Responsible Officer

The Chair of the Trust has overall responsibility for the maintenance and operation of this policy. The Chair Trustees must maintain a record of concerns raised and their outcomes and will report, as necessary, to the Trust Board.