



Whistleblowing Policy

Policy Code	HR7
Policy start date	June 2021
Policy review date	June 2022

1. Policy Statement

- 1.1 The Community Inclusive Trust (CIT) seeks to run all aspects of Trust business and activity with full regard for high standards of conduct and integrity. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.
- 1.2 References to the Trust within this policy specifically include all our primary mainstream and special schools, Lincolnshire Educational and Resource Network (LEARN) and the Central Executive and Administrative Team within the Trust.
- 1.3 This policy covers all employees, consultants, contractors, volunteers including Trust Members, Trustees, Local School Board Governors, casual workers and agency workers.
- 1.4 This policy does not form part of any employee's contract of employment and it may be amended at any time.
- 1.5 This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:
- Public Interest Disclosure Act 1998
 - Employment Rights Act 1996
 - ESFA (2020) 'Academies financial handbook 2020'
 - GOV.UK (2012) 'Whistleblowing for employees'
 - DfE (2014) 'Whistleblowing procedure for maintained schools'
 - Sir Robert Francis (2015) 'Freedom to speak up report'

2. Roles, Responsibilities and Implementation

- 2.1 The Human Resources and Safeguarding Committee has overall responsibility for the effective operation of this policy, for ensuring compliance with the relevant statutory framework and for reviewing the effectiveness of actions taken in response to concerns raised under this policy. This committee delegates day- to-day responsibility for operating the policy and ensuring its maintenance and review to the Director of HR.
- 2.2 Leaders and Managers in the Trust's schools and in the Central Executive and Administration Team have a specific responsibility to ensure the fair application of this policy and all employees are responsible for supporting colleagues and ensuring its success.

3. Aims

The aims of this policy are:

- To encourage employees to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.

- To provide employees with guidance as to how to raise those concerns.
- To reassure employees that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

4. What is whistleblowing?

4.1 **Whistleblowing** is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- (a) criminal activity;
- (b) failure to comply with any legal or professional obligation (or regulatory requirements);
- (c) miscarriages of justice;
- (d) danger to health and safety;
- (e) bribery;
- (f) financial fraud or mismanagement;
- (g) negligence;
- (h) breach of the Trust's internal policies and procedures;
- (j) conduct likely to damage the Trust's reputation;
- (k) unauthorised disclosure of confidential information;
- (l) inappropriate use of school assets or funds;
- (m) the deliberate concealment of any of the above matters.

This list is not exhaustive.

4.2 A **whistleblower** is a person who raises a genuine concern relating to any of the above. If an employee has any genuine concerns related to suspected wrongdoing or danger affecting any of the Trust's activities (**a whistleblowing concern**), they should report it under this policy.

4.3 This policy should not be used for complaints relating to a member of staff's own personal circumstances, such as the way they have been treated at work. In such cases, they should use the Trust's Grievance Policy or Complaints Policy.

4.4 If an employee is uncertain whether something is within the scope of this policy, they should seek advice from the Director of HR (whose contact details are set out at paragraph 11).

5. Raising a Whistleblowing Concern

51 Employees should be able to discuss any concerns about wrongdoings or dangers at work as part of the normal professional interaction between them and their line manager and, in many cases, these will be dealt with to mutual satisfaction. Alternatively, an employee may wish to raise any concerns with their line manager more formally, either in person or in writing. The line manager may be able to agree a way of resolving the concern quickly and effectively. In some cases, they may refer the matter to the Human Resources Department. For full contact details, please see Section 11.

52 However, where the matter is more serious, or the employee feels that their line manager has not addressed their concern, or they prefer not to raise it with them for any reason, they should contact the Director of HR.

53 The Director of HR will arrange a meeting with the employee as soon as possible to discuss their concern. The employee may be accompanied by a Trade Union Representative or appropriate work place colleague to any meetings under this policy. The companion must respect the confidentiality of the disclosure and any subsequent investigation.

54 Making a disclosure of a wrong-doing or concern (as defined in section 4) can be extremely stressful. Therefore, the employee should also be provided with the contact details of the Employee Assistance Programme for additional support, as required.

55 The Trust will record a written summary of the concern and provide the employee with a copy after the meeting. The Trust will also aim to provide an indication of how it proposes to deal with the matter.

56 In instances where a concern involves the Director of HR or a member of the HR department, the employee should contact the Chief Executive Officer (whose contact details are set out at paragraph 11).

57 Consultants, contractors and volunteers (other than Members, Trustees and Local School Board Governors) should raise any whistleblowing concerns directly with the Director of HR.

58 Members and Trustees should raise any whistle-blowing concerns directly with the Chair of the Trust. Local School Board Governors should raise matters with the Chair of their LSB who will then contact the Chair of the Trust. Any concerns with raising the matter with the Chair of the Trust should be raised with the Vice Chair of the Trust.

6. Confidentiality

61 The Trust hopes that employees will feel able to voice whistleblowing concerns openly under this policy. However, if an employee wants to raise a concern confidentially, the Trust will make every effort to conceal their identity. If it is necessary for anyone investigating the concern to know the employee's identity, the Trust will discuss this with the employee first.

62 The Trust does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if it cannot obtain further

information. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Director of HR and appropriate measures can then be taken to preserve confidentiality. If the employee is in any doubt, advice is available from Protect, the independent whistleblowing charity, which offers a confidential helpline. Their contact details are at the foot of this policy.

63 If any employee feels unable to make a disclosure directly to their employer there are other prescribed bodies that can be approached. Dependent on the nature of the disclosure the following are examples of prescribed bodies relating to schools and young people:

- Ofsted
- Children's Commissioner for England
- NSPCC
- Secretary of State for Education
- Education and Skills Funding Agency (ESFA)
- A legal advisor
- A Member of Parliament

This is by no means an exhaustive list and further recourse to the appropriate body can be found via this link:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies>

7. Investigation and Outcome

7.1 Once an employee has raised a concern, the Trust will carry out an initial assessment to determine the scope of any investigation. The Trust will inform the employee of the outcome of the assessment. The employee may be required to attend additional meetings in order to provide further information.

7.2 In some cases, the Trust may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the Trust to minimise the risk of future wrongdoing.

7.3 The Trust will aim to keep the employee informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Trust giving specific details of the investigation or any disciplinary action taken as a result. The employee should treat any information about the investigation as confidential.

7.4 If the Trust concludes that a whistleblower has made false accusations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.

8. After an Investigation

8.1 While the Trust cannot always guarantee the outcome, an employee may be seeking, it will try to deal with concerns fairly and in an appropriate way. By using this policy, members of staff can help the Trust to achieve this.

8.2 If an employee has genuine concerns about how the Trust has handled their whistleblowing disclosure, they can write to the Clerk to the Trustees. The Clerk may

investigate whether this policy's procedures have been followed in the case in question and notify the employee of his/her findings accordingly. The Clerk may ask for another assessment (7.1) to take place but does not have the power to re-investigate the original complaint/disclosure.

9. External Disclosures

91 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases, an employee should not find it necessary to alert anyone externally.

92 The law recognises that in some circumstances it may be appropriate for an employee to report their concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. The Trust strongly encourages its members of staff to seek advice before reporting a concern to anyone external. The independent whistleblowing charity Protect, operates a confidential helpline. It also holds a list of prescribed regulators for reporting certain types of concern. Their contact details are at paragraph 11 of this policy.

93 Whistleblowing concerns usually relate to the conduct of Trust staff, but they may sometimes relate to the actions of a third party. In some circumstances, the law will protect an individual if they raise the matter with the third party directly. However, the Trust encourages its staff to report such concerns internally first. Employees should contact their line manager or the Director of HR for guidance.

10. Protection and Support for Whistleblowers

101 It is understandable that whistleblowers are sometimes worried about possible repercussions. The Trust aims to encourage openness and will support employees who raise genuine concerns under this policy, even if they turn out to be mistaken.

102 Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an employee believes that they have suffered any such treatment, they should inform the Director of HR immediately. If the matter is not remedied, they should raise it formally using the Trust's Grievance Procedure or Trust's Complaints Procedure.

103 In instances where an allegation of such treatment involves the Director of HR, or a member of the Human Resources department, the employee should raise it with the Chief Executive Officer. If this is also inappropriate, then this should be raised with the Chairman of the Trust Board.

104 Members of staff must not threaten or retaliate against whistleblowers in any way. Any employee involved in such conduct may be subject to disciplinary action.

11. Contacts

Director of HR	Stephen Scott 03300 585520 E-mail: stephen.scott@citacademies.co.uk
Clerk to the Trust Board	Ana Hendrickson 01775 724080 ana.hendrickson@citacademies.co.uk

Community Inclusive Trust - Whistleblowing Policy

Chief Executive Officer	Peter Bell peter.bell @citacademies.co.uk
Protect (Independent whistleblowing charity)	Helpline: 020 3117 2520 E-mail: whistle@protect-advice.org.uk Website: https://protect-advice.org.uk/

- 11.1 This policy may only be amended or withdrawn by the Community Inclusive Trust Board.

