



# WHISTLE BLOWING POLICY

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## Contents

### Table of Contents

<b><i>Aims</i></b> .....	<b>3</b>
<b><i>Objectives</i></b> .....	<b>3</b>
<b><i>Context</i></b> .....	<b>3</b>
<b><i>Legal Position</i></b> .....	<b>3</b>
<b><i>Definitions, Roles, Responsibilities and Procedures</i></b> .....	<b>3</b>
<b><i>Evaluation</i></b> .....	<b>4</b>
<b><i>Appendix A: Whistleblowing Policy</i></b> .....	<b>4</b>
<b><i>Aim and Scope of the Policy</i></b> .....	<b>5</b>
<b><i>Safeguards</i></b> .....	<b>5</b>
<b><i>Harassment or Victimisation</i></b> .....	<b>6</b>
<b><i>Confidentiality</i></b> .....	<b>7</b>
<b><i>Anonymous Allegations</i></b> .....	<b>7</b>
<b><i>Untrue Allegations</i></b> .....	<b>7</b>
<b><i>How to Raise a Concern</i></b> .....	<b>7</b>
<b><i>How Forward As One CE MAT Will Respond</i></b> .....	<b>8</b>
<b><i>How the matter can be taken further</i></b> .....	<b>9</b>
<b><i>Appeals process</i></b> .....	<b>9</b>
<b><i>Other policies of interest</i></b> .....	<b>9</b>

## Aims

- To provide clear guidelines on the position of Forward As One CE Multi Academy Trust in relation to whistleblowing.

## Objectives

- a. To provide avenues for individuals to raise concerns and receive feedback on any action taken.
- b. Allows individuals to take the matter further if an individual is dissatisfied with the Forward As One CE MAT response.
- c. Reassure individuals that individuals will be protected from reprisal or victimisation for whistleblowing in good faith.

## Context

- The Trust Board of Forward As One CE MAT is committed to the highest standards of openness, probity and accountability. In line with that commitment, we encourage employees who have serious concerns about any aspect of the Forward As One CE MAT to come forward and voice those concerns.

## Legal Position

- The policy provides a means for individuals to raise a concern under the Public Interest Disclosure Act 1998, which provides individuals with a certain level of legal protection if an individual should wish to raise legitimate concerns.

## Definitions, Roles, Responsibilities and Procedures

Appendix A provides detailed guidance on Forward As One CE MAT Whistleblowing Policy including:

- a. Introduction
- b. Aims and scope of the policy
- c. Safeguards
- d. How to raise a concern
- e. How Forward As One CE MAT will respond
- f. How the matter can be taken further

Appendix B provides a procedural flowchart

## Evaluation

- This policy will be evaluated annually by the Trust Board to ensure it is still fit for purpose. Circumstances may arise that require more frequent modifications.

## Appendix A: Whistleblowing Policy

### Introduction

As an employee or a governor, you are often the first to realise that there may be something seriously wrong within the Forward As One Church of England Multi Academy Trust. However, you may not express your concerns because you feel that speaking up would be disloyal to colleagues or Forward As One CE MAT. You may also fear harassment or victimisation and think it may be easier to ignore the concern rather than report it.

Forward As One Church of England Multi Academy Trust is committed to the highest standards of openness, probity, and accountability. In line with that commitment, we encourage employees and governors, who have serious concerns about any aspect of Forward As One Church of England Multi Academy Trust, to come forward and voice those concerns.

It is recognised that certain cases will have to proceed on a confidential basis. This policy document makes it clear that staff can do so without fear of reprisals. This Whistleblowing

Policy is intended to encourage and enable staff and governors, to raise serious concerns with Forward As One Church of England Multi Academy Trust rather than overlooking a problem or discussing it externally. In addition, the policy provides a means for you to raise a concern under the Public Interest Disclosure Act 1998, which provides you with a certain level of legal protection if you wish to raise legitimate concerns.

The Trust CEO has overall responsibility for:

- a.) maintaining and operating the policy
- b.) annual report on the effectiveness of the policy
- c.) approving amendments to the policy
- d.) promoting the policy periodically
- e.) maintaining a record of concerns raised and the outcomes (but in a form that does not endanger your confidentiality) and will report as necessary to Forward As One Church of England Multi Academy Trust.

## Aim and Scope of the Policy

The aim of this policy is to:

- a.) provide avenues for an individual to raise concerns and receive feedback on any action taken
- b.) allow an individual to take the matter further if an individual is dissatisfied with Forward As One CE MAT's response and
- c.) reassure an individual that he/she will be protected from reprisals or victimisation for whistleblowing in good faith.

This Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures, although Forward As One Church of England Multi Academy Trust reserves the right to determine which procedure is appropriate.

Concerns to be reported under this policy may relate to something that:

- a.) is unlawful
- b.) is against Forward As One Church of England Multi Academy Trust's Contract Procedure Rules
- c.) Financial Procedure Rules or other policies
- d.) falls below established standards or practice
- e.) amounts to improper conduct

## Safeguards

### Good Practice Principles

The MAT will implement the core whistleblowing principles, as outlined in the 'Freedom to speak up report', to ensure that whistleblowing procedures are fair, clear, and consistent. The MAT will implement a culture of change by ensuring the following principles are reflected in our ethos and values – there will be a culture:

- Of safety in the schools and any part of the MAT
- Where people feel confident with raising concerns
- Free from bullying
- Of visible leadership
- Of valuing staff
- Of reflective practice, by providing a clear procedure for mediating and resolving cases, as outlined 8.3.in section 9, the MAT will ensure that all cases are efficiently handled. This procedure includes:
  - How to raise and report concerns
  - How investigations will be conducted
  - How the MAT will mediate and resolve disputes

The MAT will implement measures to support Good Practice by ensuring staff adhere to the following principles:

- Offering relevant training to staff
- Providing the necessary support to staff
- Providing support to staff who are seeking alternative employment
- Being transparent
- Being accountable
- Conducting an external review of any concerns raised, where necessary
- Undertaking regulatory action as required

## Harassment or Victimisation

The Forward As One Church of England Multi Academy Trust recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice.

Forward As One Church of England Multi Academy Trust will not tolerate harassment or victimisation and will take action to protect any individual when they raise a concern in good faith. This does not mean that if an individual is already the subject of procedures such as disciplinary, capability, grievance or managing attendance, that those procedures will be halted

because of the individual whistleblowing. Where feasible, the individual will be contacted when a concern has been investigated to ascertain whether the individual has suffered any detriment because of whistleblowing. If at any time, either during or after the investigation, the individual feels that they have suffered any detriment because of whistleblowing they should contact the Chair of the Trust Board.

## Confidentiality

Forward As One Church of England Multi Academy Trust treats the details of all whistle-blowers in confidence and will do its best not to divulge an individual's identity. However, it must be appreciated that the investigation process may reveal the source of the information without us revealing an individual's identity directly, and a statement by the individual may be required as part of the evidence.

## Anonymous Allegations

Allegations can be made anonymously. However, this policy encourages an individual to put their name to the allegation, as concerns expressed anonymously are often much more difficult to investigate. For example, we may need to contact individuals to obtain further information or verify the details the individual has already given us. Anonymous allegations will be considered wherever possible at the discretion of Forward As One CE MAT.

The factors to be considered when determining whether an investigation in such a case can proceed would include:

- a.) the seriousness of the issues raised
- b.) the creditability of the concern; and
- c.) the likelihood of confirming the allegation from other, attributable sources

## Untrue Allegations

If an individual makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, the individual makes malicious or vexatious allegations, appropriate action may be taken against them.

## How to Raise a Concern

The earlier an individual expresses the concern, the easier it is to act. As a first step, the individual should normally raise concern with their immediate manager or other appropriate manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that management is involved in the malpractice you should contact the CEO or the Chair of the Trust Board in writing. An individual may invite their trade union or professional association to raise a matter on their behalf.

## How Forward As One CE MAT Will Respond

The action taken by Forward As One CE MAT will depend on the nature of the concern. The matters raised may:

- a.) be investigated internally, (this is the most likely option)
- b.) be referred to the Police
- c.) be referred to the external auditor
- d.) be referred to the DFE
- e.) form the subject of an independent inquiry
- f.) or any combination of the above

In order to protect individuals and Forward As One CE MAT initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation.

Within ten working days of a concern being received, where appropriate, Forward As One CE MAT will write to the individual:

- a.) acknowledging that the concern has been received
- b.) indicating how it proposes to deal with the matter
- c.) telling the individual whether any initial enquiries have been made; and
- d.) telling the individual whether further investigations will take place and, if not, why not.

The amount of contact between the employees or trustees considering the issues and individual will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, further information will be sought from the individual.

When any meeting is arranged, then individual has the right, if they wish, to be accompanied by a union or professional association representative or a friend who is not involved around work to which the concern relates.

Forward As One CE MAT will take steps to minimise any difficulties that an individual may experience because of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, Forward As One CE MAT will advise you about the procedure.

Forward As One CE MAT acknowledges the need to provide the individual with assurance that the matter has been properly addressed. Thus, subject to legal constraints, the individual will receive appropriate information about the extent and outcomes of any investigations.

## How the matter can be taken further

This policy is intended to provide an individual with an avenue to raise concerns within Forward As One CE MAT and that the individual will be satisfied. If the individual is not, and if the individual feels it is right to take the matter further, the following are possible contact points.

- a.) Relevant professional bodies or regulatory Organisations
- b.) DFE (Department for Education)
- c.) Awarding Bodies
- d.) Internal Audit acting on behalf of the Responsible Officer (Leeds City Council Financial Services to Schools)
- e.) Forward As One Church of England Multi Academy Trust Solicitors – Browne Jacobson 0330 045 2112
- f.) The Police
- g.) Public Concern at Work (independent charity that provides free advice for employees who wish to express concerns about fraud or other serious malpractice)
- h.)

If an individual does take the matter outside Forward As One CE MAT they will need to ensure that they do not disclose confidential information or that disclosure would be privileged

## Appeals process

If you are not satisfied with the outcome of the investigation, you have the right to appeal to be made up of personnel different to the original panel.

## Other policies of interest

- Safeguarding Policy
- GDPR and Data Protection Policy
- Staff Code of Conduct
- Special Needs Policy
- Site Security Policy
- Social Media Policy
- Visitor Policy
- Looked After Children Policy

## Appendix B: Whistleblowing Flowchart

