



Our vision is to be stronger together, transforming lives and  
creating memories which are celebrated for a lifetime

## WHISTLEBLOWING POLICY

### 1. POLICY STATEMENT

We are committed to conducting Weydon Multi Academy Trust with honesty and integrity, and we expect all staff to maintain high standards. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

The aims of this policy are:

- To encourage staff 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 staff with guidance as to how to raise those concerns; and
- To reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

### 2. INTRODUCTION

The WMAT staff, governors and trustees seek to run all aspects of trust business and activity with full regard for high standards of conduct and integrity. If members of staff, parents, governors, trustees or the trust community at large become aware of activities which give cause for concern, we have in place a whistle blowing policy and procedure. The policy is a statutory requirement for academies and a DFE recommended procedure for maintained schools. It 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, under the school's disciplinary procedure.

We are committed to tackling fraud and other forms of malpractice and treat these issues seriously. We recognise that some concerns may be extremely sensitive. We have therefore developed a system which allows for the confidential raising of concerns within the school environment but which also has recourse to an external party outside the management structure of the school. All concerns raised by whistle blowers will be responded to properly and fairly.

All staff are made aware of the whistle blowing process and how it will be managed, as outlined below, through regular briefings and through the staff handbook.

This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases you should use the Grievance Procedure or Anti-harassment and Anti-Bullying Policy as appropriate.

If you are uncertain whether something is within the scope of this policy you should seek advice from the Whistleblowing Officer, whose contact details are at the end of this policy.

### **3. WHO IS COVERED BY THIS POLICY?**

This policy applies to all individuals working at all levels of Weydon Multi Academy Trust, including officers, directors, employees, consultants, contractors, trainees, homeworkers, part-time and fixed-term workers, casual and agency staff and volunteers (collectively referred to as staff in this policy).

### **4. APPROPRIATE CIRCUMSTANCES FOR WHISTLE BLOWING**

Individuals are encouraged to come forward with genuine concerns, knowing that they will be taken seriously. A whistle blower should ask themselves a few questions about their concern before taking action:

- Is it in the public interest?
- Is it, or do you believe it to be, illegal?
- Is it a criminal offence?
- Is the environment damaged or likely to be damaged?
- Is it, or do you believe it to be, against codes of practice issued by the trust/school, the local authority (LA), the DFE, ESFA or other professional body?
- Does it contradict what the employee has been taught, or should have been taught?
- Is it about an individual's behaviour or is it about general working practices?
- Has the whistle blower witnessed the incident?
- Does it constitute the covering up of wrongdoing?
- Does it concern actions that negatively affect the welfare of children?

Examples of issues include:

- Manipulation of accounting records and finances
- Inappropriate use of school assets or funds
- Gross mismanagement of funds
- Decision making for personal gain
- Any criminal activity
- Damage to the environment of the trust/school, to property belonging to the trust/school or to a member of the trust/school community
- Dangerous practices

- Child protection issues including sexual, emotional or physical abuse of students or others
- Abuse of position
- Serious misuse or abuse of authority
- A miscarriage of justice
- Fraud and deceit or corrupt practices
- Serious breaches of trusts/school procedures which may advantage a particular party (for example, tampering with tender documentation, failure to register a personal interest)
- Other unethical conduct, including the circulation of inappropriate e-mails
- A breach of any legal obligation
- Suppressing information about anything listed above

Whistle blowers are encouraged to put their name to an allegation. If confidentiality is requested, the governing/trust board will do its best to protect the identity of any member of staff who raises concerns. It will not disclose the identity of the whistle blower to the person who is the subject of the disclosure or to others not involved in the investigation unless it is absolutely necessary to do so and only with the prior consent of the individual concerned.

There are, however, circumstances under which complete confidentiality may be difficult for the governors/trustees to maintain. For example:

- If the matter leads to a legal procedure and evidence is required by the court
- If the issue raised comes within the remit of another trust/school procedure and the whistle blower is asked to provide a signed statement as part of the evidence, thus revealing their identity.
- When the safeguarding of children is the issue

Anonymous allegations will only be considered if the issues raised are:

- Very serious
- The credibility of the allegation is considered to be high
- The likelihood of confirming the allegation is high

If any individual raises malicious unfounded concerns or attempts to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances. The Headteacher/Principal will consider whether any disciplinary action is appropriate against the individual who made it. The police may be asked to consider whether any action might be appropriate against the person responsible, even if s/he was not a student or employee.

## PROCEDURE

### Stage 1

- As the first step, you should raise the matter with an appropriate level of line management which would normally be your own line manager or the member of staff designated to deal with initial whistle blowing. Much depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. If you believe that your immediate manager(s) is involved, the Headteacher/Principal or Chair of governors/Chair of trustees should be approached, that is go to stage 2 of the procedure.
- If colleagues are not sure about whether there may be a genuine case of malpractice, colleagues should feel able to raise questions about their concerns in the first instance to help confirm whether it is appropriate to raise a concern. The Trust is committed to maintaining an open and transparent culture.
- Concerns may be raised orally or in writing, but it is preferable for an allegation to be set out in writing. An allegation may also be made by phone or email. It is important, however, that when the concern is raised, you make it clear that the issue is being raised under the whistle blowing policy.
- You will be asked to demonstrate to the person that you contact that there are sufficient grounds for concern.
- If the allegation is written, the background and history should be set out, giving names, dates and places wherever possible, and the reasons why the situation is a cause for concern. You should date and sign this statement.
- If the allegation is made orally, you can invite a friend or representative of a trade union/professional association to be present. It is also permissible for a trade union or professional association representative to raise the matter on your behalf.
- If you wish to raise the concern confidentially, this must be made clear to the person who is initially contacted.
- If you have raised the issue orally, you will be asked to put your concerns into writing, which you should date and sign.
- You will be told what steps the line manager intends to take to address the concern. S/he may be able to take the appropriate steps to investigate the matter raised. Alternatively, s/he may refer the matter to a member of the senior leadership team, the Headteacher/Principal, CEO or to the Chair of governors/Chair of trustees as appropriate.
- Once the issue has been raised, you will be contacted within five working days by the Headteacher/Principal, CEO or the Chair of governors/trustees who will arrange to meet to discuss the matter. Again, a friend or trade union/professional association representative may accompany you for the purposes of giving support.

- Notes will be taken of the details of the concern and you will be asked to sign a copy of these notes.
- Depending on the gravity of the allegation, the Headteacher/Principal/CEO will consult with the appropriate body. It is at this point that it may become impossible to retain complete confidentiality, should the matter become an issue, for example for the trust's disciplinary policy or even a matter for the police. The Headteacher/Principal/CEO should always inform the Local Authority legal if required and the appropriate academy body.
- An initial response will be given within five working days. You will be informed of the progress of the investigation and if continued confidentiality is an issue.
- When the matter has been fully investigated and a conclusion reached, a formal written response will be sent to you.
- The line manager/Headteacher/Principal/CEO will also notify the person who is the subject of the disclosure within five working days of the meeting. Upon receipt of the information, the individual will be able to appeal against any decisions by writing to the Headteacher/Principal/CEO or governing/trust board.

## **Stage 2**

- If you are dissatisfied with the trust/school's response, you can raise the matter within ten working days of the date of the trust/school's response by writing to the Headteacher/Principal/CEO or Chair of governors/trustees.
- The Headteacher/Principal/CEO/Chair of governors/trustees will then write to you within five working days of receiving the letter to arrange a meeting to discuss the continuing concerns and why you are dissatisfied with stage 1. This meeting should take place promptly. Again, you may be accompanied by a friend or representative of your trade union/professional association.
- The Headteacher/Principal/CEO/Chair of governors/trustees may then decide to investigate further and will need to decide what action to take. You will be updated with the outcome of the meeting within five working days.

## **Stage 3**

If you are dissatisfied with the outcome of stage 2, you may opt to take the matter to stage 3, by raising the matter externally within 10 working days of the date of the decision letter at stage 2, with any of the prescribed people or bodies recommended in the government publication 'Blowing the whistle to a prescribed person: a list of prescribed people and bodies' February 2020 available from [www.gov.uk](http://www.gov.uk).

In taking your concern outside the trust/school, you should ensure that, as far as possible, the matter is raised without confidential information being divulged.

You are protected by law from dismissal, harassment, bullying or other detriment by your employer or other members of staff with whom you work. If this occurs, you have the right to take your case to an employment tribunal.

## **ALLEGATIONS AGAINST THE HEADTEACHER/PRINCIPAL/CEO**

If an employee is concerned that the Headteacher/Principal/CEO is the wrongdoer or involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigation, this should be reported to the Chair of governors/trustees (as appropriate). The governors/trustees may investigate the allegation themselves in the first instance but may wish to involve HR and legal advisors.

If the employee feels that the governors/trustees have not dealt appropriately with the issue then s/he may wish to appeal direct to the HR and legal advisors.

Employees who feel unable to follow this route have the option of contacting one of the prescribed persons as in stage 3 above or one of the following government departments as appropriate:

- HM Revenue and Customs
- The Financial Conduct Authority
- The Office of Fair Trading
- The Health and Safety Executive
- The Environment Agency
- The Director of Public Prosecutions
- The Serious Fraud Office
- The Education and Skills Funding Agency
- The Department for Education

## **Monitoring and review**

The Headteacher/Principal is responsible for monitoring the implementation and effectiveness of this policy. It will be reviewed by the trustee board at agreed intervals.

The Weydon Multi Academy Trust has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.

The Whistleblowing Officer has day-to-day operational responsibility for this policy and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

## **CONTACTS**

Whistleblowing Officer: Mark Sharman – Executive Director of Academy Improvement  
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