

Whistleblowing Policy

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Version Control

Reviewer / owner (role)	Executive lead (role)	Approving body	Meeting date of policy approval
Head of Governance and Policy	CEO and Executive Board	Trust Board	28 November 2022

This policy is reviewed annually. The next review is due by November 2023.

1. Introduction

The Trust intends and expects that all decisions, policies and procedures will be underpinned at all times by its vision and values:

Our aim:

To create centres of educational excellence that inspire all pupils to turn their potential into performance.

To achieve this our schools will:

- Provide a broad and balanced curriculum that allows pupils to develop their talents and ambitions.
- Deliver the highest quality learning opportunities facilitated by excellent teachers.
- Inspire our pupils to become confident, motivated and respectful individuals ready to make a positive contribution to society.

The Trust will support our schools by:

- Maximising the resources and expertise available to individual schools.
- Providing a platform for the sharing of excellent practice.
- Challenging and developing staff to turn their potential into performance.

1.1 Aims and Scope

This policy outlines what you should do if you suspect something happening at work is putting people in danger, or is illegal or unethical.

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated and that their confidentiality will be respected.
- Let all staff in the Trust know how to raise concerns about potential wrongdoing in or by the Trust.
- Set clear procedures for how the Trust will respond to such concerns.
- Let all staff know the protection available to them if they raise a whistleblowing concern.
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue).

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the Trust in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

The requirement to have clear whistleblowing procedures in place is set out in the [Academy Trust Handbook](#).

This policy has been written in line with the above document, as well as [government guidance on whistleblowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

1.2 Other Linked Policies

Grievance Policy

Disciplinary Policy

Complaints Policy

Safeguarding and Child Protection Policy

Health and Safety Policy

Anti-Bullying and Harassment Policy

Appeal Policy

2. Policy Statement

The Park Academies Trust aims to maintain the highest standards of integrity in everything it does.

However, all organisations can occasionally be affected by conduct that is dangerous, against the law, or breaches ethical or professional codes.

Should you have any such concerns, we encourage you to report them immediately – this is called ‘whistleblowing’. You can be assured that, if raised in good faith, we will take your concerns seriously, they will be thoroughly investigated, and you can be confident there will be no reprisals.

3. Guidance and Procedures

3.1 Guidance

The law provides protection for workers who raise legitimate concerns about specified matters. These are called ‘qualifying disclosures’. This code is not designed to replace or be used as an alternative to the grievance or other linked procedures.

Whistleblowing covers concerns made that report wrongdoing that is ‘in the public interest’.

You are protected by law if you report any of the following:

- a criminal offence, for example fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law

<https://www.gov.uk/whistleblowing>

Any disclosure of information as detailed above will only be a protected disclosure if it is made in the reasonable belief of the worker that the disclosure is in the public interest.

Speak to your line manager, Academy Principal or, if you prefer, HR, if you are not sure whether something you have become aware of is covered by this policy. Note that if your complaint is about the way people are behaving towards you, then you should refer to our policy on Anti-Bullying and Harassment, or to our Grievance Policy, for guidance on how to proceed.

In most cases, you should start by raising your concerns with your Academy Principal.

If you would prefer not to go to your Principal, you should write to the Clerk to the Trustees clerk@theparkacademiustrust.com. You should also do this if your concerns are of a very serious nature. The Clerk to the Trustees will raise the concerns with the Chair of Trustees. Where this is not appropriate, the Clerk to the Trustees will raise the concerns with the Vice Chair.

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

HR can provide independent advice and support to staff raising concerns.

3.2 Investigation Procedure

You will be invited to a meeting within a reasonable time to discuss your concerns, and you are entitled to be accompanied at this and any subsequent meetings by a colleague or trade union or professional association representative. If you bring a companion, we ask that you both agree to keep your disclosures confidential before and after the meeting and during any investigation that may follow.

After the initial meeting, we will investigate your concerns and we may ask you to attend further meetings. To investigate properly, we may involve specialists with particular knowledge or experience of the issues you have raised.

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether or not a referral is required to an external organisation, such as

the local authority or police.

You will be kept informed about how our investigations are progressing and how long they are likely to take. Sometimes, however, we may be unable to give you details about the investigation (or any action it leads to) as we need to protect confidentiality and comply with legal obligations. We understand this may be frustrating and we seek to keep you updated as far as possible.

Your concerns will be addressed fairly and in an appropriate way, but we cannot guarantee the outcome of our investigations will be the one you want. If you are not satisfied with how we have conducted the investigations, you can take the matter further using our Appeal Policy.

Most concerns are raised with us in good faith, but occasionally someone makes a false allegation out of malice or because they believe they have something to gain. Anyone found doing this will face action under our Disciplinary Policy and is at risk of being dismissed for gross misconduct.

3.3 Confidentiality and Anonymity

There is a significant difference between wanting to keep your concerns confidential and making a disclosure anonymously. We actively discourage anonymous whistleblowing. Concerns raised anonymously are very difficult – and sometimes impossible – to investigate. We cannot properly establish whether your allegations are credible without being able to ask you for more details or for clarification, and this makes it hard to reach an informed decision. This is why we urge you not to report matters anonymously.

You are always encouraged to raise concerns openly, and if you prefer to do so in confidence, we will do all that we can to ensure your identity remains hidden. We may want to disclose your identity to people involved in the investigation, but will always discuss this with you first.

You are protected from reprisals for good faith reporting under this policy but if you are still worried we encourage you to discuss this with us and we will explore how far we can go in keeping your concerns confidential.

3.4 Protection for Whistleblowers

If you raise a concern in good faith under this policy, we will support you fully even if we find through our investigations that you made a mistake or that there has been no breach of policy, legal obligation, etc. However, if you feel you have been treated detrimentally as a result of raising a concern, please let us know. First inform your manager and, if the matter remains unresolved, please follow the formal process in our Grievance Policy.

All whistleblowers are afforded the same protection, so you must not threaten others who have raised concerns or carry out reprisals against them. You may face disciplinary action which could include dismissal for gross misconduct if such acts take place. You may also face legal action from the whistleblower in these circumstances.

Protect (formerly Public Concern at Work) has:

- Further guidance on the difference between a whistleblowing concern and a grievance that staff may find useful if unsure
- A free and confidential advice line

3.5 Escalating Concerns beyond the Trust

This policy outlines the process for raising, investigating, and resolving wrongdoing within the workplace. It is rarely necessary – or, from our point of view, desirable – for anyone outside the Trust to become involved when a whistleblowing allegation is made.

In some exceptional circumstances, you may need to go to an external body – an industry regulator, for example – and the independent charity Protect can direct you towards the appropriate regulator for the type of issue you want to raise.

This policy covers the actions of third parties such as suppliers, service providers, and clients, as well as our staff. Should you have concerns about a third party, you are encouraged to raise them with us before approaching anyone else. HR, your manager or Academy Principal will be able to explain how you should proceed.

Alerting the media to a concern – particularly before or during an internal investigation – is almost never justified or appropriate in any situation. We strongly discourage you from doing so, and will treat any contact with the press as a serious disciplinary issue justifying dismissal unless exceptional circumstances exist.

We would normally expect you to have taken all reasonable steps to deal with the matter internally or with an external regulator, and to have taken full advice from a lawyer or Protect before being justified in approaching the press.