

# Whistleblowing Policy

## **MONITORING, EVALUATION AND REVIEW**

The Board of Trustees and Local Governing Boards will assess the implementation and effectiveness of this policy. The policy will be promoted and implemented throughout the Trust and its schools.

This Policy will be reviewed by the Board of Trustees annually and must be signed by the Chair of the Board of Trustees and Chief Executive.

Policy Adopted/Approved by Board of Trustees: 20th BDC q29BT/F3 11 Tf72qiN7T/F3 11 Tf.5/F3

# WHISTLEBLOWING POLICY

*This policy applies to all employees and ex-employees*

*Trust*

- 4.2 The Representor (the person raising the concern) should raise their concern with their line manager. This may be done orally or in writing.
- 4.3 However, if the concern relates to the Representor's line manager or any person to whom he or she reports, the Representor, if school-based should raise the issue with the Headteacher or if central Trust-based with the Chief Executive.
- 4.4 If the concern relates to a Headteacher, the Representor should raise the matter with the Chair of the school's Local Governing Board. If the concern relates to the Chief Executive of the Trust, the Representor should raise the matter with the Chair of the Board of Trustees.
  - 4.4.1 If the concern relates to a school's Local Governing Board the Representor should raise the matter with the Trust CEO. If the concern relates to the Board of Trustees, the Representor should raise the matter with the one of the Trust Members.
- 4.5 The person with whom the matter is raised is referred to as the "Assessor".

The Assessor will:

- 4.5.1 Interview the Representor as soon as possible within seven working days, in confidence. Early interview will be essential if the concern relates to an immediate danger to loss of life or serious injury or risk to pupils;
  - 4.5.2 Obtain as much information as possible from the Representor about the grounds for the belief of wrongdoing;
  - 4.5.3 Consult with the Representor about further steps which could be taken;
  - 4.5.4 Advise the Representor of the appropriate route if the matter does not fall under this Procedure;
  - 4.5.5 Other than in the case of paragraph 4.4.1, report all matters raised under this procedure to the Chair of the Local Governing Board\* for school-based matters and the Chair of Trustees for central Trust-based matters.
  - 4.5.6 In the case of paragraph 4.4.1, report all matters raised under this procedure to the Board of Trustees if the matter relates to a school's Local Governing Board and to the Trust's Members if the matter relates to the Board of Trustees
- 4.6 At the interview with the Assessor, the Representor may be accompanied by a recognised trade union representative or a work colleague. The Assessor may be accompanied by a member of school or central Trust staff to take notes.

The Assessor may at any time disclose the matter to a professionally qualified lawyer for the purpose of taking legal advice. The Assessor may also discuss the issue, in confidence, with other suitable professionals, such as independent HR consultants or school governance services in order to assess the nature of the case and to inform the outcome of the investigation.

- 4.7 Promptly within ten working days of the interview, the Assessor will recommend one or more of the following:
  - 4.7.1 The matter be further investigated internally by the school or the Trust;
  - 4.7.2 The matter be further investigated by external consultants appointed by the school or the Trust;

- 4.7.3 The matter be reported to an external agency;
  - 4.7.4 Disciplinary proceedings be implemented against an employee;
  - 4.7.5 The route for the Representor to pursue the matter if it does not fall within this procedure; or
  - 4.7.6 That no further action is taken by the school or the Trust.
- 4.8 The grounds on which no further action is taken include:
- 4.8.1 The Assessor is satisfied that, on the balance of probabilities, there is no evidence that wrongdoing within the meaning of this procedure has occurred, is occurring or is likely to occur;
  - 4.8.2 The Assessor is satisfied that the Representor is not acting in good faith;
  - 4.8.3 The matter is already (or has been) the subject of proceedings under one of the school's or Trust's other procedures or policies;
  - 4.8.4 The matter concerned is already (or has been) the subject of legal proceedings, or has already been referred to an external agency.
- 4.9 In the case of school-based matters, the recommendation of the Assessor will be made to the school's Headteacher. However, should it be alleged that the Headteacher is involved in the alleged wrongdoing, the recommendation will be made to the Chair of the school's Local Governing Board. Should it be alleged that the Local Governing Board is involved in the alleged wrongdoing, the recommendation will be made to the Chair of the Board of Trustees. The Headteacher or Chair of the Local Governing Board or Chair of the Board of Trustees as appropriate, will ensure that the recommendation is implemented unless there is good reason for not doing so in whole or in part. Such a reason will be reported to the next meeting of the Local Governing Board or Board of Trustees as appropriate.
- 4.10 In the case of central Trust-based matters, the recommendation of the Assessor will be made to the Chief Executive. However, should it be alleged that the Chief Executive is involved in the alleged wrongdoing; the recommendation will be made to the Chair of the Board of Trustees. Should it be alleged that the Board of Trustees is involved in the alleged wrongdoing; the recommendation will be made to the Members of the Trust. The Chief Executive or Chair of the Board of Trustees or Trust Members as appropriate, will ensure that the recommendation is implemented unless there is good reason for not doing so in whole or in part. Such a reason will be reported to the next meeting of the Board of Trustees or Trust Members as appropriate.
- 4.11 The Representor's identity will be kept confidential unless the Representor otherwise consents or unless there are grounds to believe that the Representor has acted maliciously. In the absence of such consent or grounds, the Assessor will not reveal the identity of the Representor except:
- 4.11.1 Where the Assessor is under a legal obligation to do so;
  - 4.11.2 Where the information is already in the public domain; or
  - 4.11.3 On a legally privileged basis to a professionally qualified lawyer for the purpose of obtaining legal advice.
- 4.12 The conclusion of any agreed investigation will be reported by the Assessor to the Representor promptly within twenty eight working days of the initial interview.

