



Uffculme Academy Trust

Whistleblowing Policy

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WHISLEBLOWING POLICY - RAISING CONCERNS AT WORK

1. Introduction

- 1.1 Uffulme Academy Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we wish to encourage employees, and others that we deal with, who have serious concerns about any aspect of the Trust's work to come forward and voice those concerns.
- 1.2 Uffulme Academy Trust is committed to tackling fraud and other forms of malpractice and treats these issues seriously. The Trust recognises that some concerns may be extremely sensitive and has therefore developed a system which allows for the confidential raising of concerns within the school environment but also has recourse to an external party outside the management structure of the Trust.
- 1.3 This Policy is intended to encourage and enable employees to raise concerns within the Trust rather than overlooking a problem or 'blowing the whistle' outside. This Policy makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. Uffulme Academy Trust is committed to listening to concerns, taking them seriously and ensuring that they are dealt with promptly and fairly.
- 1.4 The Policy applies to all Trust employees, Governors and Directors and those contractors working for the Trust or on Trust Premises. It also covers suppliers and those providing services in the course of their work for the Trust, such as agency staff, trainees on vocational / work experience, consultants, builders, drivers
- 1.5 The provisions of this policy apply to matters of suspected fraud and impropriety and not matters of more general grievance and dissatisfaction which would be dealt with under the relevant grievance or complaints procedures.
- 1.6 In addition to the Trust's commitment to protect employees who raise concerns, the Public Interest Disclosure Act 1998 provides a worker with potential protection from detriment and dismissal for making a 'qualifying disclosure'. The Act encourages workers to raise matters internally with employers and where an internal whistleblowing policy exists, it steers the worker to use this. (Please note: there are legal requirements for 'qualifying disclosures' to be protected under the Act).

2. Aims and Scope of the Whistleblowing Policy

- 2.1 This Policy aims to:
- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
 - provide avenues for you to raise concerns and receive feedback on any action taken;
 - ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied;
 - reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.
- 2.2 There is a Grievance procedure in place which makes provision for you to raise a concern relating to your own employment. This Policy is intended to cover major concerns that fall outside the scope of other procedures. These include:
- conduct which is an offence or a breach of the law;
 - disclosures related to miscarriages of justice;
 - lapses in the Child Protection provision;
 - health and safety risks, including actions likely to cause physical danger to any person or to give rise to a risk of significant damage to property;
 - damage to the environment;
 - the unauthorised use of public funds, including, but not limited to, the inappropriate use of the Trusts assets or funds;
 - possible fraud, deceit, corruption or dishonesty, including, but not limited to serious breaches of procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest);
 - failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant, avoidable cost or loss of income to the Trust or would

- otherwise seriously prejudice the Trust;
- sexual or physical abuse;
- abuse of power or the use of Trust powers and authority for any unauthorised or ulterior purpose;
- other unethical conduct

Please note that this is not a comprehensive list but is intended to illustrate the range of issues which might be raised under this Policy.

- 2.3 Thus, serious concerns which you have about any aspect of service provision or the conduct of employees, governors, Directors or Members of the Trust or others acting on behalf of the Trust can be reported under this Policy. This may be something that:
- makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Trust subscribes to; or
 - is against Standing Orders and Trust policies; or
 - falls below established standards of practice; or
 - amounts to improper conduct.

- 2.4 The Trust provides guidance to employees on the standards it expects from its employees through the policies agreed by the Trust, for example:
- Code of Conduct
 - Health and Safety Policy
 - Equalities and Diversity Policy
 - Finance Policy and Procedures

and through procedures, agreed with the relevant recognised trade unions and professional associations, for addressing poor standards which include:

- Conduct Policy
- Grievance Procedure

- 2.5 This Policy does not replace the Trust's Conduct Procedure.

3. How to Raise a Concern

- 3.1 As a first step, you should normally raise concerns with your immediate manager or their line manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management (a member or members of the Trust management team) is involved, you should approach one of the following:

- The Headteacher
- CEO
- The Chair of the UAT Board of Directors

- 3.2 Concerns may be raised verbally or in writing. You will need to include the background and history of the concern (giving relevant details, eg, names, dates) and the reason why you are particularly concerned about the situation. When raising a concern, you must declare any personal interest you have in the matter. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

- 3.3 The earlier you express the concern, the easier it is to take action.

- 3.4 Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate that there are reasonable grounds for a concern. However, you must not attempt to investigate a concern or accuse individuals directly.

- 3.5 Advice and guidance on how to pursue matters of concern may also be obtained from your trade union/professional association representative.

- 3.6 Advice may also be obtained from Public Concern at Work, an independent charity which provides confidential advice for employees. Their telephone number is 020 7404 6609.

- 3.7 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.

3.8 You may invite your trade union/professional association representative or work colleague to be present during any meetings or interviews in connection with the concerns you have raised. Meetings can be arranged off-site if you wish.

4. How The Trust Will Respond

4.1 The Trust will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.

4.2 The action taken by the Trust will depend on the nature of the concern. Where appropriate, the matters raised may:

- be referred to the Police;
- be referred to an external auditor;
- form the subject of an independent inquiry;
- be dealt with under a more appropriate Trust procedure.

If the individual is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the Investigating Officer, the Trust board and/or directed to the Education Funding Agency (the organisation which regulates Academies).

4.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Trust will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection or discrimination issues or financial irregularities) will normally be referred for consideration under those procedures.

4.4 Some concerns may be resolved by agreed action without the need for investigation.

4.5 If urgent action is required this will be taken before any investigation is conducted.

4.6 Within ten working days, the person with whom you raised the concern will write to you:

- acknowledging that the concern has been received;
- indicating how they propose to deal with the matter;
- giving an estimate of how long it will take to provide a final response;
- telling you whether any initial enquiries have been made
- supplying you with information on staff support mechanisms, and
- telling you whether further investigations will take place, and if not, why not.

4.7 The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of the trust's staff, the trust's external auditors, legal or personnel advisors, the police, the Department for Education or the Local Authority. If there is third party involvement, it may be more difficult to predict the length of time for the investigation as it will be dependent upon evidence received.

The amount of contact between the people considering the issues and you 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 you.

4.8 The Trust will take steps to minimise any difficulties which you may experience as a result of raising a concern. For example, if you are required to give evidence the Trust will arrange for you to receive advice about the procedure.

4.9 The Trust accepts that you need to be assured that the matter has been properly addressed and you will be informed of the final outcome of the investigation. In some circumstances, however, it may not be possible to reveal the full details where this relates to personal issues involving a third party or legal constraints.

4.10 If you make an allegation in good faith but it is not confirmed by the investigation, no action will be taken against you.

5. How The Matter Can Be Taken Further

- 5.1 This Code is intended to help you raise concerns you may have within the Trust. Hopefully, you will be satisfied with any action taken. If you are not, there are other people you can contact and these are:
- the External Auditor;
 - your trade union/professional association;
 - relevant professional bodies or regulatory organisations (for example Health and Safety Executive);
 - the Police;
 - your own solicitor.
- 5.2 If you do take the matter outside the Trust, you should ensure that you do not misuse confidential information. The person you contact should be able to advise you on this.
- 5.3 The Policy, in line with the legislation, provides protection for employees who raise concerns internally. It is inconsistent with the satisfactory operation of the Policy to pursue such concerns with the media (newspapers, TV, radio, etc) and employees who do so are unlikely to be protected by the provisions of the Public Interest Disclosure Act, and may be subject to disciplinary action.

6. Anonymous Allegations

- 6.1 This Policy encourages you to put your name to your allegation whenever possible.
- 6.2 Concerns expressed anonymously or through a third party are much less powerful and may not be possible to investigate. The person to whom the concern is initially reported will discuss it, if appropriate, with the Trust solicitors, and it will be at their joint discretion as to whether the concern will be considered further.
- 6.3 In exercising this discretion, the factors to be taken into account would include:
- the seriousness of the issues raised;
 - the credibility of the concern; and
 - the likelihood of confirming the allegation from attributable sources.

7. Harassment or Victimisation

- 7.1 Uffculme Academy Trust recognises that the decision to report a concern can be a difficult one to make. However, you have a responsibility to the Trust and to those for whom you are providing a service to raise serious concerns using the approach outlined in this Policy.
- 7.2 The Trust will not tolerate any harassment or victimisation (including informal pressures) and will take action to protect you when you raise a concern in good faith.
- 7.3 Disciplinary action will be taken against an employee if they try to stop you from raising a concern or if an employee is responsible for any act of recrimination against you for raising a concern.
- 7.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

8. Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. It must be appreciated, however, that the investigation process may reveal the source of the information, and that a statement may be required as part of the evidence and/or you may need to come forward as a witness at the appropriate time.

9. False Allegations

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If individuals raise malicious unfounded concerns or attempt 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.

10. The Responsible Officer

The CEO has overall responsibility for monitoring the Policy and should report to the Directors of the Trust on the operation it.

11. Review

Existing good practice within Uffculme Academy Trust in terms of its systems of internal control both financial and non-financial and the external regulatory environment in which the school operates ensure that cases of suspected fraud or impropriety should not occur. This Whistleblowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and if necessary outside the management structure of the trust. This document is a public commitment that concerns are taken seriously and will be actioned.

The Code will be reviewed by the Trust Body every three years.