



LATCHMERE  
ACADEMY TRUST

# WHISTLEBLOWING POLICY AND PROCEDURE

**Approved by:** LAT Trustees **Date:** 4 March 2020

**Last reviewed on:** February 2018

# LATCHMERE ACADEMY TRUST WHISTLEBLOWING POLICY AND PROCEDURE

## Introduction

Latchmere Academy Trust is committed to achieving the highest possible standards of service and ethical standards in public life and it expects all staff to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

It is important to the Trust that all individuals working at all levels of the Trust are not worried about raising such issues and do not feel that reporting them is either not your business or would be disloyal to colleagues, managers or to the Trust.

If you have concerns about something that is happening at work which you think could be unlawful conduct, financial malpractice, a concern for the welfare or safeguarding of a child or be dangerous to the public or the environment, it is important that all staff know what you can do to bring it to the Trust's attention.

It is also important that if you decide to report an incident or concern that you know the appropriate way to do it.

The Trustees have introduced this Whistleblowing policy and procedure in line with the Public Interest Disclosure Act 1998, to enable workers to raise issues of concern in an appropriate manner. You can get more information about the Public Interest Disclosure Act 1998 at <http://www.opsi.gov.uk/acts/acts1998>

The term worker broadly includes employees, independent contractors, agency workers, trainees and a person who is or was subject to a contract to undertake work or services for the School. This policy is primarily for concerns where the wellbeing of others or of the organisation itself is at risk.

At the start of each academic year, in accordance with the requirements of the Academies Financial Handbook:

- Every member of staff will be given a copy of this policy.
- The Trust will appoint at least one trustee and one member of staff who staff can contact to report concerns.

The details for the current academic year are:

**Academic Year:**

**Staff member contact(s):** .....

**Governor / trustee contact(s):** .....

## **Who is covered by this policy**

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

## **Aims of the policy**

This policy aims to:

- Encourage all staff to feel confident in raising concerns
- Provide avenues for all staff to raise concerns and receive appropriate feedback.
- Ensure that all staff receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- Advise all staff of the most effective way to ensure that your concerns are dealt with
- Advise all staff of how to present the evidence you have effectively and to the right person
- Reassure all staff that you will be protected from any reprisals or victimisation by the Trust, if you have reasonable belief that the matter disclosed tends to show wrongdoing and you have made the disclosure in an appropriate manner and in good faith.

## **What to raise concerns about**

The Public Interest Disclosure Act lists matters about which concerns can be raised and these are as follows:

1. that a criminal offence has been committed, is being committed, or is likely to be committed. Examples might be serious negligence that endangers others, child abuse, the abuse of any other vulnerable people, theft or fraud including making false representations.
2. that a person has failed, is failing, or is likely to fail to comply with any legal obligation to which he/she is subject. Examples might be breach of contract, breach of statutory requirement or breach of any legal provision.
3. that a miscarriage of justice has occurred, is occurring, or is likely to occur,
4. that the health and safety of an individual has been, is being, or is likely to be endangered,
5. that the environment has been, is being or is likely to be damaged
6. that information tending to show any matter falling within 1 to 5 above, has been concealed or is likely to be deliberately concealed.

When you make an allegation you should be prepared to give all the evidence that you have that substantiates your allegation.

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 Dignity and Respect at Work Procedures as appropriate.

If you are uncertain whether something is within the scope of this policy you should seek advice from the Executive Headteacher or Head of School.

## **Our assurances to you**

- To protect you. The Trustees and Senior Leadership Team are committed to this policy. If you make a disclosure on one or more of the matters listed above and you have a reasonable belief that your concern is real and you are acting in good faith, you will not suffer any detriment, even if after investigation it transpires that your concern is not borne out in detail.  
We will ask for and keep copies of any evidence you hold that substantiates your concern.
- To protect the evidence you have given us that supports your concern.
- To protect your identity

We will not tolerate the harassment or victimisation of anyone raising a genuine concern. If such harassment or victimisation should occur, you should notify the Executive Headteacher or Chair of Trustees.

We recognise that staff may want to raise a concern in confidence. If you ask us to protect your identity, we will not disclose it without informing you. We will advise you when concerns raised formally about colleagues cannot be presented to them or investigated without revealing your identity. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed.

If you do not tell us who you are, it will be much more difficult for us to investigate the matter. Anonymous complaints that are not supported by any evidence cannot be investigated. You should also be aware that we have a duty to protect colleagues from unfounded anonymous accusations. While we will consider anonymous reports, it will not be possible to apply many aspects of this policy for any concerns raised anonymously.

## **How to raise a concern**

1. If you have a concern about malpractice, we hope you will feel able to raise it first with your line manager. This may be done orally or in writing.
2. If you feel unable for whatever reason to raise the matter with your line manager please raise the matter with the Executive Headteacher or Head of School.

When you raise the matter, please say if you are doing this in confidence. The person you contact can then make appropriate arrangements.

3. If you still have concerns, or if you feel that the matter is such that you cannot raise it with your line manager, Head of School or Executive Headteacher, for example because it concerns them, please write to the Chair of Trustees.

## **How to raise concerns about fraud**

Disclosures concerning fraud should be made to the Executive Headteacher and to the Chair of Trustees.

## **Advice**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert any one externally.

If you are unsure whether to use this procedure or you want independent advice at any stage, you may contact:

- The nominated trustee / governor or school staff member for the current academic year
- Your trade union
- The independent whistleblowing charity Public Concern at Work, operates a confidential helpline. They can be contacted on Whistleblowing Advice Line: 020 7404 6609 or email: [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk) Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work. They also have a list of prescribed regulators for reporting certain types of concern.

### **How will we handle the matter**

Once you have told us about your concern, the following steps will be taken:

- Look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation.
- Write to you summarising your concern and setting out how we propose to handle it and provide you with details of the person handling the matter and how you can contact him or her. We will write to you at your home address unless you tell us not to.
- The investigations will be conducted on a strictly confidential basis and the subject of the complaint will not be informed unless and until it becomes necessary.
- We will give you as much feedback as necessary. However, please note that we may not be able to tell you the action we take where this would infringe a duty of confidence owed by us to someone else.
- Inform the Executive Headteacher that you have raised a concern under the whistleblowing policy and provide him/her with details of your complaint.
- The Executive Headteacher will keep a central record of all such complaints and where the complaint was not raised directly with him/her, ensuring the progress of the investigation and of action taken.

### **External contacts**

While we hope this policy gives you the reassurance you need to raise such matters internally, we would rather you raised a matter with the appropriate regulator than not at all. Provided you are acting in good faith and you have evidence to back up your concern, you can also contact the prescribed people and bodies directly. A full list can be obtained from Gov.uk.

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>

Alternatively, the independent whistleblowing charity Public Concern at Work can provide advice and the full list and they can be contacted on Whistleblowing Advice Line: 020 7404 6609 or email: [whistle@pcaw.org.uk](mailto:whistle@pcaw.org.uk).

### **How to raise concerns about other matters**

The Whistleblowing policy is designed to sit alongside the Trust's Safeguarding Policy and Grievance Procedure. As a guideline, concerns, which should be raised through these routes, are as follows:

- Safeguarding issues should be raised through the Trust's Safeguarding Policy
- Employment related issues, including relationships with members of staff or trustees, should be raised through the Trust's Grievance Procedure.

## **WHISTLEBLOWING POLICY:**

### **Guidance for line managers on responding to a matter of concern raised by an employee**

All Trust employees are provided with a copy of the Whistleblowing Policy at the start of each academic year, and should therefore be aware that the Trust has a policy and procedure.

If you receive a disclosure in respect of any of the matters set out under the heading 'What to Raise a Concern About' in the Whistleblowing Policy you must take the following action:

1. Take the matter seriously and do not dismiss or belittle the information,
2. Ask for evidence and make a secure record of any evidence submitted
3. Respect as far as possible the confidentiality of the employee, and adhere to the policy under the heading "To protect your identity" where the employee has specifically asked for confidentiality
4. Ensure that the employee understands the Whistleblowing procedure,
5. Acknowledge the concern in writing within 3 working days.
6. Discuss ways that the employee could be supported,
7. Investigate the concern objectively, dealing with all parties with sensitivity and tact,
8. Seek HR advice.
9. Seek advice and involve other School managers if appropriate,
10. Set out clearly how the concern is to be taken forward,
11. Ensure that notes are made and kept of the process followed, notes of discussions etc.,
12. Keep informed the person raising the concern about the progress made and outcome of the investigation
13. Provide the Executive Headteacher with details of the concern and inform him/her about the progress and outcome of the investigations.

If at the conclusion of your investigations you are of the view that the concern was not raised in good faith, seek further HR advice

Note that if the concern relates to fraud, you should report it in line with this policy.