Whistleblowing Policy

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1 SCOPE AND PURPOSE

1.1 The Bay Learning Trust (the Trust) is committed to conducting itself with honesty and integrity, 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.

1.2 The aims of this policy are:

1.2.1 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;

1.2.2 to provide staff with guidance as to how to raise those concerns; and

1.2.3 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.

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

1.4 In this policy references to personnel/bodies are to the personnel/bodies present within the School at which the particular member of staff reviewing the policy is engaged.

2 WHO IS COVERED BY THIS POLICY?

This policy applies to all individuals working at all levels of the School, 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).

3 WHO IS RESPONSIBLE FOR THE POLICY?

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

3.2 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.

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

4 WHAT IS WHISTLEBLOWING?

4.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

4.1.1 criminal activity;

4.1.2 miscarriages of justice;

4.1.3 danger to health and safety;

4.1.4 damage to the environment;

4.1.5 failure to comply with any legal or professional obligation or regulatory requirements;

4.1.6 bribery;

4.1.7 financial fraud or mismanagement;

4.1.8 negligence;

4.1.9 breach of the School's internal policies and procedures;

4.1.10 conduct likely to damage the School's reputation;

4.1.11 unauthorised disclosure of confidential information;

4.1.12 concerns about the harm or risk of harm to children;

4.1.13 reports that sexual harassment that has occurred, is occurring or is likely to occur; and

4.1.14 the deliberate concealment of any of the above matters.

4.2 A whistleblower is a person who raises a genuine concern relating to any of the above. If a member of staff has any genuine concerns related to suspected wrongdoing or danger affecting any of the School's activities (a whistleblowing concern) they should report it under this policy.

4.3 This policy should not generally be used for complaints relating to a member of staff's own personal circumstances, such as the way they have been treated at work. In those cases, the member of staff should use the School's Grievance Procedure or Dignity at Work Policy as appropriate.

4.4 Whilst the reporting of sexual harassment that has occurred, is occurring or is likely to occur (whether as a witness or victim) will amount to a protected disclosure for the purposes of whistleblower protection provided the report is made in the public interest, such complaints / reports concerning sexual harassment will be dealt with under this Anti-Sexual Harassment Policy for consistency and because of the additional safeguards it contains.

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

5 RAISING A WHISTLEBLOWING CONCERN

5.1 The School hopes that in many cases staff will be able to raise any concerns with their line manager, the Senior Leadership Team or Headteacher. A member of staff may tell them in person or put the matter in writing if they prefer. They may be able to agree a way of resolving the member of staff's concern quickly and effectively. In some cases, they may refer the matter to the Whistleblowing Officer.

5.2 However, where the matter is more serious, or the member of staff feels that their line manager, the Senior Leadership Team or the Headteacher has not addressed the concern, or they prefer not to raise it with them for any reason, they should contact the Whistleblowing Officer, Grace Britton, Governance Professional for the Trust. Contact details are set out at the end of this policy.

6 Where staff have concerns regarding a member of staff within the Trust’s Central Team, concerns should first be raised with the Chief Executive Officer of the Trust, Sally Kenyon (CEO) or through the Whistleblowing Officer.

7 Where staff have concerns regarding the CEO, concerns should first be raised with Canon Peter Ballard. Contact details are set out at the end of this policy.

8 CONFIDENTIALITY

8.1 The Trust hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if a member of staff wants to raise a concern confidentially, the School will make every effort to keep their identity secret. If it is necessary for anyone investigating the concern to know the member of staff's identity, the School will discuss this with them.

8.2 The Trust does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if it cannot obtain further information from the member of staff raising the concern. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Officer and appropriate measures can then be taken to preserve confidentiality. If a member of staff is in any doubt, they can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

9 INVESTIGATION AND OUTCOME

9.1 Once a member of staff has raised a concern, the Trust will arrange a meeting with them as soon as possible to discuss their concern. A member of staff may bring a colleague or union representative to any meetings under this policy. The companion must respect the confidentiality of the disclosure and any subsequent investigation.

9.2 The Trust will take down a written summary of the member of staff's concern and provide them with a copy after the meeting. The Trust will also aim to provide an indication of how it proposes to deal with the matter.

9.3 The Trust will carry out an initial assessment to determine the scope of any investigation. The Trust will inform the member of staff of the outcome of its assessment. The member of staff may be required to attend additional meetings in order to provide further information.

9.4 In some cases, the Trust may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the School to minimise the risk of future wrongdoing.

9.5 The Trust will aim to keep the member of staff who raised the concern informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Trust giving the member of staff specific details of the investigation or any disciplinary action taken as a result. Any information about the investigation should be treated as confidential.

9.6 If the Trust concludes that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower will be subject to disciplinary action.

10 IF A MEMBER OF STAFF IS NOT SATISFIED

10.1 While the School cannot always guarantee the outcome the member of staff raising the complaint may be seeking, it will try to deal with the concern fairly and in an appropriate way. By using this policy staff can help the School to achieve this.

10.2 If a member of staff is not happy with the way in which their concern has been handled, they can raise it with one of the Trustees within five School days of being notified of the Outcome of the Whistleblowing Concern.

11 EXTERNAL DISCLOSURES

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

11.2 The law recognises that in some circumstances it may be appropriate for staff to report their concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. The Trust strongly encourage staff to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

11.3 Whistleblowing concerns usually relate to the conduct of the Trust or School's staff, but they may sometimes relate to the actions of a third party, such as a supplier or service provider. In some circumstances the law will protect staff if they raise the matter with the third party directly. However, the Trust encourages staff to report such concerns internally first. Staff should contact their line manager, the Senior Leadership Team or the Whistleblowing Officer for guidance.

12 PROTECTION AND SUPPORT FOR WHISTLEBLOWERS

12.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. The Trust aims to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

12.2 Staff must not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that they have suffered any such treatment, they should inform the Whistleblowing Officer immediately. If the matter is not remedied, they should raise it formally using the Trust's Grievance Procedure.

12.3 Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

13 CONTACTS

Whistleblowing Officer	Grace Britton 01524 581872 brittong@baylearningtrust.com
Canon Peter Ballard	By contacting: Grace Britton 01524 581872 brittong@baylearningtrust.com
Protect (Independent whistleblowing charity)	Helpline: (020) 3117 2520 E-mail : info@protect-advice.org.uk Website:www.protect-advice.org.uk