



# Whistleblowing Policy

Policy & Procedure Number: 48

Next Review Due: September 2022

Trust Link: Mr B. Fisher

Revision Number: v1.4

Consultation with recognised trade unions: May - July 2020

Adopted by Trust following consultation: 1<sup>st</sup> September 2020

## **I SCOPE AND PURPOSE**

- 1.1 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 following consultation with the recognised Trade Unions.

## **2 WHO IS RESPONSIBLE FOR THE POLICY?**

- 2.1 The Board of Trustees has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 2.2 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.
- 2.3 All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

### 3 WHO IS COVERED BY THIS POLICY?

This policy applies to all individuals working at all levels of the Trust, 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** or **you** in this policy).

### 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 Trust's internal policies and procedures;
- 4.1.10 conduct likely to damage the Trust'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 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 you have any genuine concerns related to suspected wrongdoing or danger affecting any of the Trust's activities and the activities of its Academies (a whistleblowing concern) you should report it under this policy.

- 4.3 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 Trust's Grievance Procedure or Anti-harassment and Bullying Policy as appropriate.
- 4.4 If you are uncertain whether something is within the scope of this policy you 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 Trust hopes that in many cases you will be able to raise any concerns with your line manager, the Senior Leadership Team or Principal. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your 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 you feel that your line manager, the Senior Leadership Team or the Principal has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact the Whistleblowing Officer; Mr Ian Kirkham, Company Secretary. Contact details are set out at the end of this policy. If the matter concerns the Whistleblowing Officer, you may contact the Chief Executive Officer.
- 5.3 The Trust will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your colleague/union representative must respect the confidentiality of your disclosure and any subsequent investigation.
- 5.4 The Trust will take down a written summary of your concern and provide you with a copy after the meeting. The Trust will also aim to give you an indication of how it proposes to deal with the matter.

## **6 CONFIDENTIALITY**

- 6.1 The Trust hopes that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, the Trust will make every effort to keep your identity secret. If

it is necessary for anyone investigating your concern to know your identity, the Trust will discuss this with you.

- 6.2 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 you. 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 you are in any doubt you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy. Your union may also be able to offer advice and support.

## 7 INVESTIGATION AND OUTCOME

- 7.1 Once you have raised a concern, the Trust we will carry out an initial assessment to determine the scope of any investigation. The Trust will inform you of the outcome of its assessment. You may be required to attend additional meetings in order to provide further information.
- 7.2 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 Trust to minimise the risk of future wrongdoing.
- 7.3 The Trust will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Trust giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
- 7.4 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.

## **8 IF YOU ARE NOT SATISFIED**

- 8.1 While the Trust cannot always guarantee the outcome you are seeking, it will try to deal with your concern fairly and in an appropriate way. By using this policy you can help the Trust to achieve this.
- 8.2 If you are not happy with the way in which your concern has been handled, you can raise it with one of the Trustees.

## **9 EXTERNAL DISCLOSURES**

- 9.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.
- 9.2 The law recognises that in some circumstances it may be appropriate for you to report your 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 you 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.
- 9.3 Whistleblowing concerns usually relate to the conduct of the Trust'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 you if you raise the matter with the third party directly. However, the Trust encourages you to report such concerns internally first. You should contact your line manager, the Senior Leadership Team or the Whistleblowing Officer for guidance.

## **10 PROTECTION AND SUPPORT FOR WHISTLEBLOWERS**

- 10.1 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.

## Wade Deacon Trust

- 10.2 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 you believe that you have suffered any such treatment, you should inform the Whistleblowing Officer immediately. If the matter is not remedied you should raise it formally using the Trust's Grievance Procedure.
- 10.3 Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

## II CONTACTS

<b>Whistleblowing Officer</b>	<b>Mr Ian Kirkham</b> 0151 4238871 i.kirkham@wadedeacontrust.co.uk
<b>Protect</b> (Independent whistleblowing charity)	Helpline: 020 3117 2520 E-mail: <a href="mailto:whistle@protect-advice.org.uk">whistle@protect-advice.org.uk</a> Website: <a href="https://protect-advice.org.uk/">https://protect-advice.org.uk/</a>