

CUL ACADEMY TRUST LTD

Whistleblowing Policy



Date Created:	
Last Review:	
Reviewed by:	
Approval Date:	
Approval By:	
Next Review	

WHISTLEBLOWING POLICY

1. POLICY STATEMENT

- 1.1 The CUL Academy Trust is committed to conducting its business with honesty, integrity and accountability. 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:
- (a) 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.
 - (b) To provide staff with guidance as to how to raise those concerns.
 - (c) To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- 1.3 This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.
- 1.4 This policy does not form part of any employee's contract of employment and it may be amended at any time.

2. False Allegations

- 2.1 It is accepted that an employee will not disclose confidential information about the employer's operations, which is calculated or likely to destroy the mutual trust and confidence on which the employment relationship is based. Where an individual discovers apparent evidence of wrongdoing, then the information should be disclosed appropriately with the knowledge that the allegation will be taken seriously and investigated, and that their confidentiality will be respected. An individual found making malicious or vexatious allegations will, however, face appropriate action including disciplinary action, referral to the Police or a regulator particularly if he or she persists in making them when they have been declared after due process to be without foundation.

3. What is whistleblowing?

- 3.1 **Whistleblowing** is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:
- (a) Criminal activity;
 - (b) Miscarriages of justice;
 - (c) Danger to health and safety;
 - (d) Damage to the environment;
 - (e) Failure to comply with any legal or professional obligation or regulatory requirements;
 - (f) Bribery;
 - (g) Financial fraud or mismanagement;
 - (h) Negligence;
 - (i) Conduct likely to damage the Trust's reputation;
 - (j) Unauthorised disclosure of confidential information;
 - (k) The deliberate concealment of any of the above matters.

- 3.2 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 (a **whistleblowing concern**) you should report it under this policy.
- 3.3 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 Grievance Procedure or other policies as appropriate.
- 3.4 If you are uncertain whether something is within the scope of this policy you should seek advice from the Senior Administrator / Principal's PA.

4. Confidentiality

- 4.1 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. It may, however, be necessary for anyone investigating your concern to know your identity.
- 4.2 The Trust does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if the Trust 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 Senior Administrator / Principal's PA and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offers a confidential helpline. Their contact details are at the end of this policy.

5. External disclosures

- 5.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any suspected danger and/or wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.
- 5.2 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 encourages you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, 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.
- 5.3 Whistleblowing concerns usually relate to the conduct of Trust staff, but they may sometimes relate to the actions of a third party, such as a student, customer, 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 the Senior Administrator / Principal's PA or a member of Senior Leadership Team (SLT) for guidance.

6. Raising a whistleblowing concern

- 6.1 We hope that in many cases you will be able to raise any concerns with a member of the SLT. 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 Senior Administrator/Principal's PA.
- 6.2 Where the matter is more serious, or you feel that a member of SLT has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact the Senior Administrator / Principal's PA. Contact details are set out at the end of this policy. In the event that the concern relates to the Senior Administrator / Principal's PA then you should raise the matter with the Principal who will carry out the procedure referred to in this policy. In the event that the concern relates to the Principal, the matter should be referred via the Senior Administrator / Principal's PA or Clerk to Trust Board to the Chair of the Trust who will carry out the procedure referred to in this policy. In such circumstances the decision of the Chair of the Trust is final and binding.

7. Investigation and outcome

- 7.1 The Senior Administrator / Principal's PA will arrange a meeting with you as soon as possible to discuss your concern. You will have the right to be accompanied by an acknowledged staff representative, trade union representative or work colleague to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.
- 7.2 The Senior Administrator / Principal's PA will consider the information made available and will decide whether there are grounds for proceeding further with the case. The Senior Administrator / Principal's PA will, as appropriate, determine the most appropriate method of investigating the concern.
- 7.3 If the Senior Administrator / Principal's PA consider that there are grounds for proceeding further, an investigation will be conducted. Should the Senior Administrator / Principal's PA consider that there are not grounds for proceeding further, you have the right to refer the case to the Principal within 10 working days of the original decision.
- 7.4 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 risk of future wrongdoing to be minimised.
- 7.5 The investigation will be conducted speedily, ideally reporting within 15 working days of the first meeting taking place.
- 7.6 The Trust will aim to keep you informed of the progress of the investigation. 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.
- 7.7 If the Trust concludes that an individual has made false allegations maliciously or with a view to personal gain, the individual will face appropriate action including disciplinary action, referral to the Police or a regulator as appropriate.

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 us to achieve this.
- 8.2 If having followed the procedures detailed in this policy you are not satisfied that it has been properly investigated or feel that the action taken is inappropriate, you have the right to raise the matter, in confidence, with the Trust Board. The Trust Board will consider the complaint and may be supplied with all documentation submitted in earlier stages of the procedure. A written decision will normally be supplied within 15 working days.
- 8.3 The decision of the Trust Board and Chair of the Trust is final and binding.

9. Protection and support for whistleblowers

- 9.1 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 under this policy, even if they turn out to be mistaken.
- 9.2 Staff must not suffer any detrimental treatment as a result of raising a concern. 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 Senior Administrator / Principal's PA immediately. If the matter is not remedied you should raise it formally using the Trust Grievance Procedure.
- 9.3 Staff must not threaten or retaliate against whistleblowers in any way. If you are involved in such conduct you may be subject to disciplinary action. In some cases the whistleblower could have a right to sue you personally for compensation in an employment tribunal.

10. Responsibility for the success of this policy

- 10.1 The Trust Board has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 10.2 The Senior Administrator / Principal's PA 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.
- 10.3 All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Senior Administrator / Principal's PA.

11. Contacts

Manager	Violet Williams 0121 696 4800 Violet.williams@culacademy.co.uk
Public Concern at Work (Independent whistleblowing charity)	Helpline: (020) 7404 6609 E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk

This policy will be reviewed annually by the HR department.

This policy was adopted for full implementation on

This policy will be reviewed by the Governing Body on a yearly cycle and must be signed by the Chair of Governors and the Principal.

Policy Reviewed:	
Next Review:	
Signature of Chair of Governors	Signature of Principal