



Ownership	Areté Learning Trust
Date Updated	17 <sup>th</sup> October 2016
Signed	
Date	
Next Review Date	October 2018

# Areté Learning Whistleblowing Policy

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## Introduction

The Arété Learning Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment, staff, governors, directors, and others with whom we deal, who have serious concerns about any aspect of the Trust's work should have a means to express those concerns.

Staff and governors are likely to be the first to realise that there may be something seriously wrong within an Academy. However, they may choose not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Academy. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice. This document makes it clear that concerns may be reported with confidence, that the Trust is not prepared to tolerate any malpractice, abuse or wrongdoing and that it expects employees, and others with whom we deal with, who have concerns about what is happening in the workplace to come forward and voice

## Procedure

This is intended to encourage and enable staff and governors to raise serious concerns within the Academy rather than overlooking a problem or raising the matter externally. The procedure applies to all staff, governors and those contractors working for an Arété Learning Trust Academy. It also covers suppliers and those providing services to the Academy. *This is separate from the existing procedures within the Academy to enable individuals to lodge a grievance or a complaint.*

## What is whistleblowing?

'Whistleblowing' is when a governor or member of staff reports suspected wrongdoing at work. Officially this is called 'making a disclosure in the public interest'. (Public Interest Disclosure Act 1998)

A governor or member of staff should report things that aren't right, are illegal or if anyone at work is neglecting their duties, including:

- someone's health and safety is in danger
- damage to the environment
- a criminal offence
- the Academy isn't obeying the law (for example, not having the right insurance)
- covering up wrongdoing

There is a balance to be struck between the right of the individual member of staff to speak freely on a range of matters and the right of the Academy or colleagues to protect themselves against false and malicious accusations. A whistle blowing procedure is about the ways in which concerns about malpractice may properly be raised within the Academy and if necessary outside the Academy.

## Principles

This policy sets out the principles within which the Trust will deal with whistleblowing issues, subject to the understanding that each case may need to be treated on its own individual merits. This policy applies to all Arété Learning Trust staff. It has been introduced by the Trust to address any malpractice or wrong doing at an early stage and in an effective way.

All staff have a responsibility to protect the welfare of children and employees are under an obligation to raise concerns about the abuse of such individuals, using the procedures outlined in the Safeguarding policy.

## Independent Advice

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

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### **PUBLIC CONCERN AT WORK**

Suite 306,  
16 Baldwins Gardens,  
LONDON, EC1N 7RJ  
Tel. No. 0207 404 6609

Public Concern at Work is a registered charity which promotes accountability and good governance in organisations and responsibility amongst individuals. It has been at the forefront of recent developments in self-regulation and public interest. Its lawyers can give you free, confidential advice at any stage about how to raise a concern about serious wrongdoings or malpractice at work. Alternatively, you may wish to seek assistance from your Trade Union or professional organisation.

### **What is Malpractice, Abuse or Wrongdoing?**

Malpractice, abuse and wrongdoing can include a whole variety of issues and some are listed in Appendix "A". However, this is not a comprehensive list but is intended to illustrate the sort of issues which may be raised under this policy.

This policy is primarily for concerns where the interests of others or of the Academy or Trust itself are at risk. If you are aggrieved as an employee about your personal position, then you should use the Academy's existing Grievance Procedure.

### **The Trust's Assurances to Employees**

If you raise a genuine concern under this policy, you will not be at risk of losing your job or suffering any form of retribution as a result. If you are acting in good faith, it does not matter if you are mistaken. However, the Trust will view very seriously any false and malicious allegations which are made under this policy and will regard such allegations by any employee of the Trust as a serious disciplinary offence.

The Trust will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith.

If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. However, it is possible that we will be unable to resolve the concern raised without revealing your identity (e.g. because your evidence is needed in Court) but if this occurs we will discuss with you how we can proceed.

### **How to Raise a Concern**

Any concerns that you have may be raised orally or in writing and those who wish to make a written statement should set out the background and history of the concern (giving relevant dates) and the reasons why you are particularly concerned about the situation. The earlier you express your concern the easier it will be to take action. The rule of thumb should be – if in doubt, raise it.

The Trust will not expect you to prove that your concern is true, but you will need to demonstrate to the person contacted that there are reasonable grounds for you to raise the issue. It is perfectly acceptable for you to discuss your concern with a colleague and you may find it more comforting to raise the matter if there are two (or more) of you who have had the same experience or concerns.

If you are an employee and have a concern about any malpractice, abuse or wrongdoing, we hope you will feel able to raise it first with your Line Manager or his/her superior. If you feel unable to raise the matter in this way, then you should raise the matter with the Academy Principal.

If the above channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with an employee, with your Line Manager, you can contact a member of the Academy's Governing Body.

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## How the Trust will handle the matter

Once you have told us of your concern we will look into it to assess initially what action should be taken. This may involve an internal enquiry or a more formal investigation. We will tell you who is handling the matter, how you can contact him/her and whether your further assistance may be needed. If you request it, we will write to you summarising your concern and setting out how we propose to handle it.

It may be necessary to arrange a meeting with you at which you can be accompanied by a Trade Union representative or a work colleague.

Where it is considered appropriate, the matters raised may be referred to external agencies to investigate, e.g. the Police, external auditor or through some other form of independent inquiry. We will of course, tell you if this is going to happen.

Within 10 working days of a concern being raised by you, the person handling the matter will write to you:

- acknowledging that the concern has been received
- indicating how we 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 are being made
- providing information about sources of support for you
- telling you whether further investigations will take place, and if not, why not

Whilst the purpose of this policy is to enable us to investigate your concerns about malpractice or wrongdoing and take appropriate steps to deal with it, we will give you as much feedback as we properly can. Please note that we may not be able to tell you the precise action we take where this would infringe a duty of confidence owed by us to someone else.

The Trust will take steps to minimise any difficulties which you may experience as a result of raising the concern. Thus, if you are required to give evidence in criminal or disciplinary proceedings the Trust will arrange for you to receive advice about the procedure.

## Anonymous Allegations

You are encouraged to put your name to your allegation whenever possible.

Concerns expressed anonymously are much less powerful but will be considered at the discretion of the academy. In exercising this discretion, the factors to be taken into account will include:

- the seriousness of the issues raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources

If you do raise a concern anonymously and it is considered then it will not be possible for you to be contacted, for instance to inform you of the outcome of your concern or to discuss any aspect of your concern.

## How to Raise a Concern - Externally

This policy is intended to provide you with an avenue within the Trust to raise concerns. Whilst we hope this policy gives you the reassurance you need to raise such matters internally, we would rather you raised a matter externally than not at all, provided you are acting in good faith and you have evidence to back up your concern. Thus, you are completely at liberty to raise any concern externally at any time with any of the external agencies set out in Appendix "B". The telephone numbers are general contact numbers so you will need to explain the nature of your concern and ask to be put through to the appropriate Department and/or person.

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### **POLICY ENDS**

Policy agreed by ALT Board: 17-10-2016

Review date: October 2018

Signed:

Date:

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### **APPENDIX "A"**

#### **ILLUSTRATIVE LIST OF MALPRACTICE, ABUSE OR WRONGDOING**

1. Any unlawful act, whether criminal (e.g. theft) or a breach of the civil law (e.g. slander or libel).
2. Maladministration (e.g. unjustified delay, incompetence, neglect advice).
3. Breach of any statutory Code of Practice (e.g. National Code of Local Government Conduct).
4. Health and safety risks, including risks to the public as well as other employees (e.g. faulty electrical equipment).
5. Abuse of children and vulnerable adults (e.g. through physical, sexual, psychological or financial abuse, exploitation or neglect).
6. Damage to the environment (e.g. pollution).
7. The unauthorised use of public funds (e.g. expenditure for improper purpose).
8. Fraud and corruption (e.g. housing benefit fraud, to solicit or receive any gift/reward as a bribe).
9. Breach of the Member or Employee Code of Conduct.
10. Abuse of power (e.g. bullying/harassment).
11. Other unethical conduct.

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### APPENDIX "B"

LIST OF EXTERNAL BODIES NAME & ADDRESS	AREA OF CONCERN
Public Concern at Work Suite 306, 16 Baldwins Gardens LONDON, EC1N 7RJ. (Tel. No. 0207 - 404 - 6609)	All matters of malpractice and/or wrong-doing.
National Audit Office (Newcastle) 4th Floor St Nicholas Building St Nicholas Street Newcastle Upon Tyne NE1 1RF	Financial Probity
Local Government Ombudsman The Commission for Local Administration in England The Oaks, No. 2 Westwood Way Westwood Business Park COVENTRY, CV4 8JB. (Tel. No. -024 7682 0000)	Maladministration - causing injustice to a member of the public.
Headquarters: Fraud Squad Thames Valley Police c/o Windsor Road Slough Berkshire (Tel. No. – 0845 8505505)	Fraud and Public Sector Corruption
The Health & Safety Executive Priestley House Priestley Road Basingstoke, Hants. (Tel. No. –0845 3450055)	Health & Safety dangers.
The Environment Agency Thames Regional Office Kings Meadow House Kings Meadow Road Reading, RG1 8DQ. (Tel : General Enquiries : 08708 506506, Hazardous Waste Registration : 08708 502 858, Agricultural Waste Registration : 0845 6033113, Floodline : 0845 988 1188, Incident Hotline : 0800 807060)	Environmental dangers.