Windsor Academy Trust

Whistleblowing (Confidential Reporting) Policy	
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Content

1. Introduction

1.1. Windsor Academy Trust (WAT) is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees and others that we deal with, who have serious concerns about any aspect of its work, to come forward and voice those concerns through agreed procedures, without fear of harassment or victimisation.

1.2. It is recognised that most cases will have to proceed on a confidential basis. WAT aims to ensure that all employees are protected from possible reprisals or disadvantages where they have raised concerns or disclosed information where they have a genuine concern.

1.3. This policy applies to all employees or other workers who provide services to WAT in any capacity, including self employed consultants, contractors, volunteers and suppliers who provide services on a personal basis.

1.4. There are existing procedures in place to enable employees to raise a grievance relating to employment. Therefore personal grievances (e.g. bullying, harassment, discrimination) will be dealt with under the WAT Grievance policy, unless the particular case is in the public interest.

1.5. 1This policy does not form part of any employee's contract of employment and it may be amended at any time following consultation.

1.6. The requirement to have clear whistleblowing procedures in place is set out in the Academy Trust Handbook.

This policy has been written in line with the above document, as well as government guidance on whistleblowing. We also take into account the Public Interest Disclosure Act 1998.

This policy complies with our funding agreement and articles of association.

Definitions:

- Board: The Board of Directors of Windsor Academy Trust (WAT)
- Chief Executive: The Chief Executive of WAT
- Executive Team: The senior leaders who report directly to the Chief Executive
- Headteacher: All Headteachers, Heads of School and Executive Headteachers within WAT

2. Aims

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that

their confidentiality will be respected
- Let all staff know how to raise concerns about potential wrongdoing in or by WAT
- Set clear procedures for how WAT will respond to such concerns
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)
- Let all staff know the protection available to them if they raise a whistle-blowing concern

3. Definition of whistleblowing

3.1. Whistleblowing covers concerns made that report wrongdoing that is "in the public interest".
- Examples of whistle-blowing include (but are not limited to):
- Criminal offences, such as fraud or corruption
- Pupils' or employees' health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment
- A whistleblower is a person who raises a genuine concern relating to the above.

3.2. Any genuine serious concerns that employees have about suspected wrongdoing or danger affecting any aspect of service provision or the conduct of any employees, members of our governance community or others acting on behalf of WAT, or suspected wrongdoing or can be reported under this policy. This may be about something that:

Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Academy subscribes to;
- Is illegal or breaches statutory or Trust procedures
- Falls below established standards of practice
- Puts people in danger
- Amounts to improper conduct
- Is an attempt to cover any such activity up

3.3. Before initiating this procedure, employees should consider the following:
- The responsibility for expressing concerns about unacceptable practice or behaviour rests with all employees
- Employees should liaise with their line manager to raise questions and seek clarification on issues which are of day to day concern
- Whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, employees must act to prevent escalation of the problem and to prevent themselves being potentially implicated
- Seeking advice from their trade union / professional association

3.4. Not all concerns about WAT or individual schools within it count as whistle-blowing. This policy should not be used for complaints about an employee's personal circumstances (e.g. the way they have been treated). In these circumstances, an employee should use the Grievance Policy or Pay Policy if the matter relates to salary.

Protect has further guidance on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure

4. Safeguards and support for employees

4.1. Harassment or Victimisation

- WAT is committed to good practice and high standards and wants to be supportive of employees and recognises that the decision to report a concern can be a difficult one to make. If what is being reported is true, or if there are reasonable grounds for believing that it is true, disclosure forms part of a duty to your employer and those for whom a service is being provided.
- WAT will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect employees when they raise a genuine concern under this policy.
- Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that may already affect the individual.

4.2. Confidentiality

All concerns raised under this policy will be treated in confidence and every effort will be made not to reveal your identity, if you so wish. At the appropriate time, however, you may be asked to come forward as a witness.

4.3. Anonymous Allegations

This policy encourages employees to put their names to allegations, whenever possible. It may be difficult to progress anonymous complaints as it is more difficult to establish whether allegations are credible. Anonymous allegations will be considered at the discretion of WAT. WAT will exercise discretion depending on:

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

4.4. Unfounded Allegations / Malicious or vexatious allegations

Employees are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the trust will consider whether any disciplinary action is appropriate against the person making the allegation.

4.5. Support for employees

- It is recognised that raising concerns can be difficult and stressful. Advice and support will be made available, as appropriate, to both the employee(s) raising the concerns and any employee(s) subject to investigation.
- Employees may also wish to consider discussing their concern with a colleague or trade union first and may find it easier to raise the matter if there are two (or

more) individuals who have had the same experience or concerns.

- Employees may invite their Trade Union or professional association representative or work colleague to be present during any meetings or interviews in connection with the concerns raised under this policy. The companion must respect confidentiality of the disclosure and any subsequent investigation.

Advice or guidance on how to pursue matters of concern may be obtained internally from:

Dawn Haywood, WAT Chief Executive Officer
0121 602 7594
dhaywood@windsoracademytrust.org.uk

WAT Director of People
0121 602 7594

4.6. Protect

Free support is available from the independent charity Protect who provide a legal advice service offering free expert and confidential advice on how best to raise your concern and your protection as a whistleblower.

- https://protect-advice.org.uk/
- Advice Line: 0203 117 2520

5. Procedure for employees to raise a whistleblowing concern

5.1. Who to report to

School-based employees should report their concern to the Headteacher. If the concern is about the Headteacher, or it is believed they may be involved in the wrongdoing in some way, the employee should report their concern to the Chief Executive Officer.

WAT central employees should report their concern to the Chief Executive Officer. If the concern is about the Chief Executive Officer, or it is believed they may be involved in the wrongdoing in some way, the employee should report their concern to the Chair of the Board.

5.2. How to raise the concern

- Concerns should be made in writing wherever possible although they will be accepted verbally. It is important to raise concerns as early as possible.
- The background and history of the concern (including names of those committing wrongdoing, dates, places and as much evidence and context as possible.
- The reason why they are particularly concerned about the situation
- Any personal interest they may have in the matter
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- Although employees are not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for the concern.

6. WAT procedure for responding to a whistleblowing concern

6.1. Investigating the concern

When a concern is received the 'recipient' will:

- Write to the individual within ten school days to acknowledge that the concern has been raised and invite the individual to a meeting.
- Meet with the person raising the concern. The person raising the concern may be joined by a workplace colleague or trade union representative.
- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistleblowing nature, the recipient should handle the concern in line with the appropriate policy/procedure.
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy).
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
- The recipient should then arrange a further investigation into the matter, involving the relevant members of the Executive Team, if appropriate. In some cases, they may need to bring in an external, independent body to investigate. In other cases, they may need to report the matter to the police.
- The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps

6.2. Outcome of the investigation

- Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified, and whether or not a referral is required to an external organisation, such as the local authority or police.
- They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.
- Beyond the immediate actions, the Chief Executive, Executive team, Headteacher, Board Directors and other employees - as necessary - will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.
- Whilst we cannot always guarantee the outcome sought, WAT will deal with concerns fairly and in an appropriate way.

7. Escalating concerns

WAT encourages employees to raise their concerns internally, in line with section 5 of this policy, but recognises that employees may feel the need to report concerns beyond leaders of the school or trust. In these cases, an employee may escalate their concern to the Chair of the Board.

● Andrew Middleton, WAT Chair of the Board-amiddleton@windsoracademytrust.org.uk

If necessary, employees may also refer to an external body. A list of prescribed bodies to whom employees can raise concerns with is included here .[1]

The Protect advice line, linked to in section 4 of this policy, can also help employees when deciding whether to raise the concern to an external party.

[1] https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblo wing-list-of-prescribed-people-and-bodies#education