



WHISTLEBLOWING POLICY



ADOPTED AT THE MEETING OF THE

RLT BOARD ON HELD ON 26th SEPTEMBER 2016

Signature of Chair:

This policy is to be reviewed every 5 years.



THE ROWAN LEARNING TRUST

WHISTLEBLOWING POLICY

1. Principles

- 1.1 Employees are often the first to realise that there may be something seriously wrong within their workplace environment. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to their employer. They may also fear harassment or victimisation.
- 1.2 The Rowan Learning Trust and the Local Governing Body of this school are committed to the highest possible standards of openness, probity and accountability. In line with these commitments, employees with serious concerns about any aspect of the school's work are encouraged to come forward and voice those concerns without fear of reprisals.
- 1.3 This policy does not override any statutory rights an employee may have.

2. Aims and Scope of this Policy

- 2.1 This Whistleblowing Policy aims to:
 - provide avenues for employees to raise concerns and receive feedback on any action taken;
 - allow employees to take the matter further if they are dissatisfied with the school or Trust response; and
 - reassure employees that they will be protected from reprisals or victimisation for whistleblowing in good faith.
- 2.2 There are existing procedures in place to enable an employee to lodge a grievance relating to his/her own employment. This Whistleblowing Policy is intended to cover concerns that fall outside the scope of such procedures.

2.3 There are existing procedures in place to enable employees to report suspected Child Protection and Safeguarding matter. This Whistleblowing Policy is intended to cover concerns that fall outside the scope of such procedures.

2.4 A concern within the scope of this policy may be about something that:

- is unlawful; or
- is against the Trust's policy and procedures, Department for Education Regulations and Guidelines, school Standing Orders and Financial Regulations relating to the use of public funds; or
- contravenes school policy in such a way that it has a serious impact; or
- falls below established standards or practice; or
- amounts to serious improper conduct.

3. Safeguards

3.1 Harassment or Victimisation

3.1.1 The Local Governing Body recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Local Governing Body will not tolerate harassment or victimisation and will do what it lawfully can to protect employees when they raise concerns in good faith, including, where appropriate, undertaking disciplinary proceedings against those involved in victimisation or harassment.

3.1.2 This does not mean that if an employee is already the subject of disciplinary or redundancy procedures, that those procedures will be halted as a result of his/her whistleblowing.

3.2 Confidentiality

3.2.1 The Local Governing Body will do its best to protect the identity of an employee when a concern is raised and the employee does not want his/her name to be disclosed.

3.2.2 However, it must be appreciated that the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence, particularly if the Police, External Auditors or the Courts become involved. In order to take effective action, the Local Governing Body will need proper evidence which may be required to stand up to examination in Courts or Tribunals.

3.3 Anonymous Allegations

3.3.1 This policy requires employees to put their names to an allegation. Concerns expressed anonymously will not be considered by the Local Governing Body.

3.4 Untrue Allegations

3.4.1 If an allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken against the employee raising the concern.

3.4.2 If, however, an employee makes a malicious or vexatious allegation, that is for no other purpose than to cause trouble or annoyance or, without good reason, is made to discredit the school, employee or the Trust, an investigation will take place to determine whether disciplinary action is required.

4. How to raise a concern

4.1 As a first step, an employee should normally raise concerns with his/her immediate manager (e.g. Head of Year or Faculty/Department, a member of the Senior Leadership Team, the Business Manager or the Headteacher). This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if the employee believes that management is involved, an approach may be made to the Headteacher, Chair of Governors of the Local Governing Body, Chair of the Board of Directors of the Trust [or the Responsible Officer] as he/she feels is appropriate.

4.2 Concerns are better raised in writing. Employees are advised to set out the background and history of the concern, giving names, dates and places, where possible, and the reasons why they are particularly concerned about the situation. If a member of staff does not feel able to put his/her concern in writing, he/she can telephone or meet the appropriate manager.

4.3 The earlier an employee expresses a concern, the easier it is to take action.

4.4 Although the employee is not expected to prove the truth of an allegation, he/she will need to demonstrate to the person contacted that there are sufficient grounds for the concern.

4.5 An employee may invite a companion, who may be from his/her trade union or professional association, or a work colleague to raise the matter with them. She/he may also have such a companion to represent him/her at any meeting which is held relating to his/her concern.

5. How the school/Local Governing Body/Trust will respond

5.1 The action taken by the school, Local Governing Body or Trust will depend on the nature of the concern. The matters raised may:

- be investigated internally
 - be referred to the Police
 - be referred to the External Auditor
 - form the subject of an independent inquiry
- 5.2 In order to protect individuals, the school and the Trust, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example, Child Protection or Discrimination issues) will be referred for consideration under the relevant procedures.
- 5.3 Some concerns may be resolved by agreed action without the need for investigation.
- 5.4 Within 2 working days of a concern being received, the recipient will write to the employee:
- acknowledging that the concern has been received;
 - indicating how she/he proposes to deal with the matter, if possible, at such an early stage;
 - indicating whether any initial enquiries have been made; and
 - indicating whether further investigations will take place, and if not, why not.
- 5.5 If necessary, further information will be sought from the employee raising the concern.
- 5.6 The school, LGB or Trust, will do what is reasonable and lawful to minimise any difficulties that an employee may experience as a result of raising a concern.
- 6. How the matter can be taken further**
- 6.1 This policy is intended to provide employees with an avenue to raise concerns within the school and/or Trust. However, if an employee is not satisfied with this internal approach and feels it is right to take the matter outside, the following are possible contact points:
- the School's External Auditor
 - the Department for Education / Education Funding Agency
 - the Police
- 6.2 It will be safe to raise a concern with any of the above, provided that the employee:-
- a) makes the disclosure in good faith

- b) reasonably believes that the information disclosed, and any allegation contained in it are substantially true
- c) does not make the disclosure for the purposes of personal gain

If an employee makes allegations which she/he has no grounds to believe are true, or maliciously or for personal gain then the employee could face defamation proceedings or a prosecution for wasting Police time. If an employee decides to address his/her concerns by going to the Press or the media (s)he may face defamation proceedings if the allegations are unfounded in addition to disciplinary proceedings.

7. **Contacts**

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