



Aldridge Education

Whistleblowing Policy & Procedure

Policy Title:	Aldridge Education Whistleblowing Policy and Procedure
Version:	August 2016
Trust Board Approval:	31 August 2016
Date of Next Review:	August 2018

Aldridge Education Whistleblowing Policy & Procedure

1. Statement of Principle

Aldridge Education wishes to ensure that all employees are valued as members of the Trust community.

This Policy and Procedure concerns the ways in which issues of malpractice may be properly raised within the Trust and each of its academies and, if necessary, beyond each academy.

This Policy and Procedure also aims to strike a balance between the right of the individual member of staff to speak freely on a range of matters, and the right of the Trust and its academies to be protected against false or malicious allegations.

2. Introduction

Employees are sometimes the first to realise that there may be something seriously wrong within an organisation.

Normally, employees would be expected to raise any concerns initially with the Principal of the academy within which they work, or their Line Manager. However, they may 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.

Aldridge Education 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 the activities of the Trust or its academies or those who work within the Trust and its academies, to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This policy document makes it clear that employees can do so without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing Policy is intended to encourage and enable employees to raise serious concerns within each academy or the Trust, rather than overlooking a problem or "*blowing the whistle*" outside.

The Policy applies to all employees and those contractors working for the Trust on any of its sites, for example, agency staff. It also covers suppliers and those providing services under a contract with the Trust or any academy on their own premises, or in other premises where services are delivered.

These procedures are in addition to the Trust's complaints procedures and other statutory reporting procedures applying to the Trust and/or its academies. Each academy is responsible for making service users aware of the existence of these procedures.

3. Aims and Scope of the Policy

This policy aims to:

- Encourage staff to feel confident in raising serious concerns and to question and act upon concerns about practice;
- Provide avenues for staff to raise those concerns and receive feedback on any action taken;

- Ensure that staff receive a response to their concerns, and that they are aware of how to pursue them if they are not satisfied;
- Reassure staff that they will be protected by the Trust from possible reprisals or victimisation if they have a reasonable belief that they have made any disclosure in good faith.

The Whistleblowing Policy is intended to cover major concerns that fall outside, or in a particular instance do not appear to have been properly addressed within, the scope of other procedures. These include:

- Conduct which is an offence or a breach of the law;
- Disclosures related to miscarriages of justice;
- Health and safety risks, including risks to the public as well as other employees;
- Damage to the environment;
- The unauthorised use of public funds;
- Possible fraud and corruption;
- Sexual or physical abuse of students,
- Child Protection concerns ;
- Other unethical conduct.

Thus, any serious concerns that a member of staff may have about any aspect of the Trust or its academies provision, or the conduct of colleagues/employees of the Trust, or members of the Trust Board or Committees, or others acting on behalf of the Trust, can be reported under the Whistleblowing Policy. This may be about something that:

- Makes a member of staff feel uncomfortable in terms of known standards, their experience, or the standards they believe the Trust and its academies subscribe to;
- Is against Schemes of Delegations and policies;
- Falls below established standards of practice;
- Amounts to improper conduct.

It should be noted that this policy does not replace the Trust's Complaints Procedure, or the Grievance Procedure for staff.

4. Safeguards

The Trust is committed to good practice and high standards and is committed to supporting employees:

- The Trust recognises that the decision to report a concern can be a difficult one to make, especially for staff who are new to the organization (or one of its academies).
- If what a member of staff is saying is true, or if their suspicions are reasonable, they will have nothing to fear because they will be doing their duty to their employer and to those to whom the employer is providing a service. In fact, members of staff may be making themselves vulnerable if they do not raise the alarm.
- The Trust will not tolerate or allow any form of harassment, victimisation or discrimination (including informal pressures), and will take appropriate action to protect staff when they raise a concern in good faith.
- If there are any intimidatory threats or instances of harassment, victimisation or discrimination against a 'whistleblower,' the Trust will take appropriate disciplinary action against the individual(s) concerned.

- Any investigation into allegations of potential malpractice will not influence, or be influenced by, any disciplinary or redundancy procedures that already affect an individual staff member.

5. Confidentiality

All concerns will be treated, as far as possible, in the strictest confidence and every effort will be made not to reveal your identity if you so wish. However, if a staff member's concerns require any further action, they may at some future date have to act as a witness and/or provide evidence.

6. Anonymous Allegations

This policy encourages staff to put their name to their allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Trust or its academies as appropriate.

In exercising this discretion the factors to be taken into account would include:-

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

7. Untrue Allegations

If a member of staff makes an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against them. If, however, if a member of staff makes an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

8. How to Raise a Concern

As a first step, a member of staff should normally raise concerns with the Principal of the academy where they work or for non academy staff their line manager. However, this will depend on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice.

For example, if a member of staff believes that the Principal is involved, they should approach the Chair of Governors in the first instance who may, depending on the circumstances, have to liaise with the Chief Executive Officer of the Trust. Non academy based staff should contact their line manager or where this is inappropriate the Chief Executive Officer of the Trust. If the matter concerns the Chief Executive Officer then contact should be made with the Chair of the Trust.

Concerns can be raised in person but should be recorded in writing. Staff who wish to make a written report are invited to use the attached Form WBI at Appendix I which enables them to identify the background and history of the concern (giving relevant dates) and the reason why they are particularly concerned about the situation.

Staff should note that the earlier they express their concern, the easier it will normally be to take action.

Although staff are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate to the person contacted that there are reasonable grounds for their concern.

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

- The Principal
- The Vice Principal
- The Chair of Governors
- The Aldridge Education CEO

Employees may wish to consider discussing their concern with a colleague or Trade Union Representative first. These individuals may also be invited by the employee to be present during any meetings or interviews in connection with the concerns they have raised.

9. How the Trust Will Respond

Each academy will respond to staff concerns raised via the Whistleblowing Procedure. Where appropriate, the matters raised may be:-

- investigated by appropriate representatives, internal audit, or through the disciplinary process;
- referred to the Police;
- referred to the external auditor;
- the subject of an independent inquiry.(See Appendix 2)

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

The overriding principle that each Academy will have in mind is the public interest. Concerns or allegations which fall within the scope of specific procedures (for example, child protection, adult abuse or discrimination issues) will normally be referred for consideration under these procedures.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.

Within **ten** working days of a concern being raised, the Principal (unless the circumstance outlined in section 7.1 applies) will write to the employee in confidence:-

- Acknowledging that the concern has been received;
- Indicating how it is proposed to deal with the matter;
- Giving an estimate of how long it will take to provide a final response;
- Informing the employee whether any initial enquiries have been made;
- Supplying the employee with information on staff support mechanisms, and
- Informing the employee whether further investigation will take place and if not, why not.

Every effort will be made to ensure that concerns are dealt with as speedily as possible and that the employee is kept informed of progress made.

The amount of contact between the staff considering the issues and the employee who has raised the concerns will depend on the nature of the matters raised, the potential difficulties involved, and the clarity of the information provided. If necessary, the academy (or Trust) will seek further information from the employee.

Where any meeting is arranged, the employee can be accompanied by a trade union representative or a colleague.

Each academy will take steps to minimise any difficulties which employees may experience as a result of raising a concern. For instance, if a staff member is required to give evidence in criminal or disciplinary proceedings, the academy will arrange for them to receive advice about the procedure.

The Trust accepts that staff members need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform them of the outcome of any investigation.

10. How the Matter Can Be Taken Further

This Policy is intended to provide employees with an avenue within the Trust and its academies to raise concerns.

The Trust hopes that staff will be satisfied with any action taken. If they are not, however, and they feel it is right to take the matter outside of their academy, they can contact the Trust CEO. If staff are dissatisfied, after escalating their concern to the Trust or because the concern is with the Trust, the following are possible contact points, *(this list is not exhaustive)*:

- External Auditors
- Department for Education
- National Audit Office
- The Health and Safety Executive
- Ofsted
- HMRC
- The Police

If a member of staff does take the matter outside the Trust, they should ensure that they do not disclose confidential information. If possible, it is advisable to check with the Trust CEO before disclosing any information.



**ALDRIDGE
EDUCATION**
Whistleblowing Notification Form

EMPLOYEE NAME:

ACADEMY OR LOCATION:

WHAT CONCERN(S) DO YOU WISH TO RAISE?

(In your own words describe your concern(s), include date(s), time(s), persons involved, including any witnesses, location, the length of time you have been concerned.)

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WHY ARE YOU CONCERNED ABOUT THE ISSUE(S)?

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HAVE YOU DISCUSSED THE ISSUE(S) WITH ANYONE ELSE? YES/NO

If so, who with and when?

WHAT WAS THE OUTCOME OF THIS PREVIOUS DISCUSSION?

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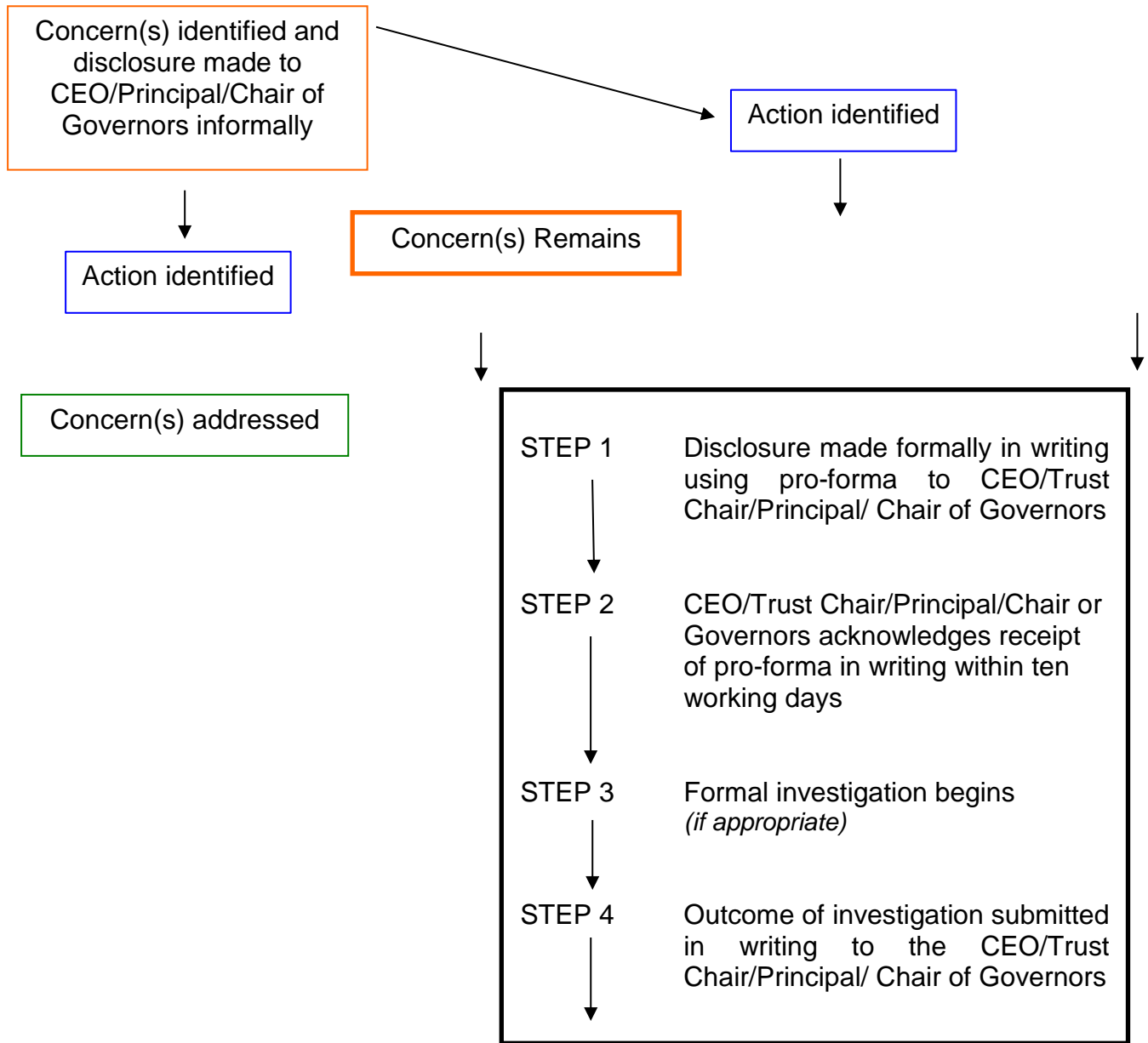
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Signature _____ Date _____

ON COMPLETION THIS FORM SHOULD BE SENT TO THE CEO/PRINCIPAL/CHAIR OF GOVERNORS IN A SEALED ENVELOPE MARKED PRIVATE AND CONFIDENTIAL

STEPS IN MAKING A DISCLOSURE



STEP 5

1

2

3

FEEDBACK TO THE PERSON MAKING DISCLOSURE WITHIN 5 WORKING DAYS OF THE OUTCOME OF THE INVESTIGATION BEING MADE TO THE CEO/Trust

RECOMMENDED ACTION TO PREVENT RECURRENCE

FORMAL DISCIPLINARY PROCEDURE INVOKED (if appropriate)

Aldr
Aug

Policy