

Re-approved: July 2020  
 Review Date: July 2021  
 Ref: TRA013

Policy Title	Whistleblowing
<b>1. Purpose</b>	<p>The purpose of this policy is to set out the arrangements whereby staff at Trinity Academy can be enabled to voice their concerns i.e. whistleblow, without fear of harassment or reprisals.</p> <p>This policy should not be used for complaints relating to staff's own personal circumstances e.g. the way they have been treated at work. In those cases staff should follow the Grievance Policy and Procedure.</p> <p>For the purposes of this policy, a definition of whistleblowing can be found at Appendix 1</p> <p>Appendix 2 contains the whistleblowing procedure</p>
<b>2. Summary</b>	<p>Trinity Academy is committed to the highest standards of openness, probity and accountability.</p> <p>An important aspect of accountability and transparency is that a mechanism is provided to enable employees of Trinity Academy to voice concerns in a responsible and effective manner. This policy provides that mechanism. It is a fundamental expectation that employees will not disclose confidential information about their employer's affairs. Nevertheless, where an individual discovers information that they believe shows serious malpractice or wrongdoing within the organisation then this information should be disclosed internally without fear of reprisal.</p> <p>The Public Interest Disclosure Act (PIDA) which came into effect in 1999, gives legal protection to employees against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns. Trinity Academy has endorsed the provisions as set out below, to ensure that no members of staff should feel at a disadvantage in raising legitimate concerns.</p> <p>Underpinning this policy are the Trinity Academy Values of Wisdom, Fairness, Courage and Self-Discipline.</p>
<b>3. Aims</b>	<p><b><u>Statement of Commitment</u></b></p> <p>Trinity Academy will seek to create an ethical and open culture in which the Code of Conduct provides a framework for the behaviour of all employees and where they are encouraged to report concerns in the assurance that they will be taken seriously, investigated and appropriate action taken in response.</p>
<b>4. Objectives</b>	<ul style="list-style-type: none"> <li>To encourage staff to feel confident in raising concerns and to question and act upon concerns about conduct or practice.</li> </ul>

	<ul style="list-style-type: none"> <li>• To provide a way for staff to raise concerns in confidence and receive feedback on any action taken.</li> <li>• To ensure that staff receive a responses to their concerns and that they are aware of how to pursue them if not satisfied.</li> <li>• To reassure staff that they will be protected from possible reprisals or victimisation if they have a reasonable belief that disclosures they have made are in the public interest.</li> </ul>
<b>5. Roles and Responsibilities</b>	<p>The Board of Trustees, the Chief Executive Officer and the Principal are responsible for ensuring that all staff are made aware of this policy and how they can raise any concerns that they may have.</p> <p>The Chief Executive Officer will arrange for the appointment of individuals or a group outside the normal line management who can receive complaints of irregularities or other concerns.</p>
<b>6. Implementation</b>	<p><b>Safeguards</b></p> <p><b>1. Protection against victimisation</b> The Board of Trustees will not tolerate harassment or victimisation of members of staff when matters are raised in good faith and in accordance with the PIDA provisions. Any employee who victimises or harasses another employee as a result of their having raised a concern in accordance with the whistleblowing policy will be dealt with under the staff disciplinary procedures.</p> <p><b>2. Confidentiality</b> Trinity Academy will treat all such disclosures in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the source of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.</p> <p><b>3. Anonymous allegations</b> This policy encourages individuals to put their name to any disclosures they make. Concerns expressed anonymously are much less credible, but they may be considered at the discretion of Trinity Academy, especially concerns raised in relation to the welfare of children.</p> <p>When deciding whether to take forward anonymous allegations, the Board of Trustees will take the following factors into account :In exercising this discretion, the factors to be taken into account will include:</p> <ul style="list-style-type: none"> <li>• The seriousness of the issues raised</li> <li>• The credibility of the concern</li> <li>• The likelihood of confirming the allegation from attributable sources</li> </ul> <p><b>4. Untrue Allegations</b> If an employee makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that employee. If, however, an employee makes malicious or vexatious allegations, and particularly if he or she persists with making them,</p>

	disciplinary action may be taken against that employee.
<b>7. Monitoring and Evaluation</b>	This policy will be monitored as part of the school's Monitoring and Evaluation Framework and any outcomes will be included in HR metrics.
<b>8. Frequency of Review</b>	To reviewed annually
<b>9. Approval</b>	Approved by the Board of Trustees
<b>10. Appendices</b>	<p><b><u>Appendix 1</u></b></p> <p><b>What is whistleblowing?</b></p> <p>Whistleblowing is the disclosure of information that relates to suspected wrongdoing or dangers at work. This may include:</p> <ul style="list-style-type: none"> <li>• criminal activity</li> <li>• child protection and/or safeguarding concerns</li> <li>• miscarriages of justice</li> <li>• danger to health and safety</li> <li>• damage to the environment</li> <li>• failure to comply with any legal or professional obligation or regulatory requirements</li> <li>• financial fraud or mismanagement</li> <li>• negligence</li> <li>• breach of the school's internal policies and procedures including its Code of Conduct</li> <li>• conduct likely to damage the School's reputation</li> <li>• unauthorised disclosure of confidential information</li> <li>• the deliberate concealment of any of the above matters.</li> </ul> <p>A 'whistleblower' is a person who raises a genuine concern in good faith relating to any of the above.</p>

## **Appendix 2**

### **Procedure for Making a Disclosure**

Any concerns should be expressed in writing to the Principal. If the concerns involve the Principal, then the Chief Executive Officer should be the first point of contact. If the concerns involve the Chief Executive Officer, then the Chair of the Board of Trustees should be the first point of contact. It is expected that the person receiving the allegation will become the investigating officer. However it is at the discretion of this person to delegate the investigation to another person if they feel this is appropriate.

Should none of the above routes be suitable or acceptable to the complainant, then the complainant may approach one of the individuals who have been designated as independent points of contact under this procedure. They can advise on the implications of the legislation and the possible internal and external avenues of complaint open to the complainant.

Concerns should be put in writing for the avoidance of doubt, and should set out the background and history of the concern, giving names, dates and places where possible, and explaining the reason for the concerns. If the complainant feels unable to put the matter in writing s/he can still raise their concern verbally and should telephone or arrange to meet the appropriate person. They can also ask a colleague or a member of their professional association to raise the matter on their behalf or to support them in raising the concern.

If there is evidence of criminal activity then the investigating officer should inform the police. Trinity Academy will ensure that any internal investigation does not hinder a formal police investigation.

### **Timescales**

Due to the varied nature of these sorts of complaints, which may involve internal investigators and / or the police, it is not possible to lay down precise timescales for such investigations. The investigating officer should ensure that the investigations are undertaken as quickly as possible without affecting the quality and depth of those investigations.

The complainant will normally receive a written response within five working days (except in the case of anonymous allegations)

- 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.
- Advising whether any enquiries have been made.
- Advising whether further enquiries will take place.
- Informing the complainant of support available whilst matters are investigated.

All responses to the complainant will be in writing and sent to their home address.

### **Investigating Procedure**

The investigating officer will take the following steps:

- Full details and clarifications of the complaint will be obtained.
- The investigating officer will inform the member of staff against whom the complaint is made as soon as is practically possible. The member of staff will be informed of their right to be accompanied by a colleague or other representative at any future interview or hearing held under the provision of these procedures.
- The investigating officer should consider whether it is appropriate to involve the police at this stage and should consult with the Principal / Chief Executive Officer / Chair of the Board of Trustees.
- The allegations should be fully investigated by the investigating officer with the assistance where appropriate, of other individuals / bodies.
- The target is to complete the inquiry within 15 working days from the date of the initial written response, although it may extend beyond this timescale
- The investigating officer will make a judgement concerning the complaint and validity of the complaint. This judgement will be detailed in a written report containing the findings of the investigations and reasons for the judgement. The report will be passed to the Principal / Chief Executive Officer / Chair of the Board of Trustees, as appropriate.
- The Principal / Chief Executive Officer / Chair of the Board of Trustees will decide what action to take. If the complaint is shown to be justified, they will invoke the discipline procedure.
- The complainant will be kept informed of the progress of the investigations and, if appropriate, the final outcome

### **Taking the matter further**

If the complainant is not satisfied that their concern is being properly dealt with by the investigating officer, they have the right to raise it in confidence with the Principal / Chief Executive Officer / Chair of the Board of Trustees or one of the designated persons.

If the investigation finds the allegations unsubstantiated and all internal procedures have been exhausted but the complainant is not satisfied with the outcome of the investigation, Trinity Academy recognises the lawful rights of employees and ex-employees to make disclosures to other organisations, including the police, the local authority, a professional association, the Department for Education.

The Public Concern at Work is an independent charity providing free advice for persons who wish to express concern about fraud and other

