



Whistleblowing Policy and Procedure

Version 1.0

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<p>Target Audience:</p>	<p>Employees, agency workers, self-employed workers and professional visitors.</p>
<p>Reference Documents:</p>	<p>Department for Business Innovation and Skills 'Whistleblowing Guidance for Employers and Code of Practice' March 2015 Employment Rights Act 1996 Public Interest Disclosure Act 1998</p>

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POLICY STATEMENT

The Education Alliance is fully committed to an ethos of openness, accountability and transparency, where employees are encouraged to voice any concerns they have in a professional, responsible, effective way. It is important to the organisation that issues such as suspected fraud, misconduct or wrongdoing by workers or officers of the organisation is reported and properly dealt with. All individuals are therefore encouraged to raise any concerns they may have about the conduct of others at The Education Alliance or the way in which the organisation is run. This policy details the way in which individuals may raise concerns they have and how those concerns will be dealt with.

1. SCOPE

This policy applies to all staff and workers at The Education Alliance, therefore whistleblowing concerns may be raised by employees, agency workers, self-employed workers and professional visitors. This policy does not cover issues such as an employee's concerns regarding their own pay or working hours, working conditions or volume of work as those issues should be addressed via other policies and procedures (e.g. The Education Alliance's Grievance Procedure).

2. ROLES AND RESPONSIBILITIES

The **Board of Directors** is responsible for monitoring the effectiveness of this policy, ensuring that an appropriate framework is in place to enable staff and others to raise concerns.

The **Executive Principal** is responsible for ensuring that staff and others do not suffer a detriment in the application of this policy and procedure. The Executive Principal will also ensure that:

- Any individual who makes a disclosure of wrongdoing or malpractice in good faith is protected against victimisation
- Anyone who victimises a whistleblower will be subject to The Education Alliance's Disciplinary Policy and Procedure
- Any matters raised will be treated seriously, swiftly, consistently, fairly and professionally
- Any matter raised will be promptly and thoroughly investigated by an appropriate senior person
- The whistleblower's identity will, so far as is possible, remain confidential
- Any employee or worker who knowingly makes false allegations against a colleague will be subject to The Education Alliance's Disciplinary Policy and Procedure
- Any employee who, in good faith, makes allegations that turn out to be unfounded will not be penalised for being genuinely mistaken.

The **Human Resources Department** is responsible for ensuring that all staff and workers are aware of this policy and procedure. The team will also ensure that:

- the policy is implemented fairly and consistently
- whistleblowers are treated with dignity and respect and offered access to appropriate support

Managers and staff with supervisory or leadership responsibilities must ensure they deal with whistleblowing issues swiftly, respectfully, thoroughly and professionally, whilst upholding confidentiality as far as possible.

All **staff and workers** have a responsibility for raising any concerns they have, thus providing The Education Alliance with the opportunity to resolve any issues that arise. It is expected that wherever possible staff and workers raise concerns prior to malpractice or wrongdoing occurring. However, where this isn't possible, it is expected that staff and/or workers raise concerns at the earliest opportunity in line with this policy and procedure.

3. EQUALITY AND DIVERSITY

The Education Alliance is committed to:

- Eliminating discrimination and promoting equality and diversity in its policies, procedures and guidelines
- Delivering high quality teaching and services that meet the diverse needs of its student population and its workforce, ensuring that no individual or group is disadvantaged

4. VISION AND VALUES

The Education Alliance's vision is to develop a culture of respect, honesty and high aspiration, encouraging staff and students to inspire each other and learn to value greatness, ambition and achievement of all kinds. This policy supports this vision as it is the intention of The Education Alliance that staff and workers are able to raise concerns without fear of resulting detriment or victimisation.

5. PRINCIPLES

Everyone should ensure they have an awareness and understanding of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal or unethical conduct and report anything of that nature. Any matter raised under the procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation will be shared with the worker who raised the issue. Although this list is not exhaustive, examples of situations in which it might be appropriate for an individual to report a wrongdoing include:

- Criminal offences (including financial impropriety such as fraud);
- Failure to comply with an obligation set out in law;
- Miscarriages of justice;
- Endangering someone's health and safety;
- Damage to the environment;
- Covering up of wrongdoing .

No worker will be victimised for whistleblowing. This means that the continued employment and opportunities for future promotion or learning and development of the worker will not be prejudiced because he/she has raised a legitimate concern.

Victimisation of a worker for whistleblowing will be viewed as a disciplinary offence. If misconduct is discovered as a result of any investigation under this procedure, The Education Alliance's Disciplinary Policy and Procedure may be used in addition to any appropriate external measures. Maliciously making a false allegation will be viewed as a disciplinary offence.

An instruction to cover up a potential wrongdoing will be viewed as a disciplinary offence. If told not to raise or pursue a concern, even by a person in authority such as a manager, workers must not agree to remain silent and should escalate the issue to either a more senior manager or the Human Resources Department.

6. WHISTLEBLOWING

The law provides protection for workers who raise legitimate concerns about specified matters. Whistleblowing occurs when a worker passes on information concerning wrongdoing. The whistleblower must be acting in the public interest and they must reasonably believe that they have witnessed or are aware of:

- A criminal offence;
- A miscarriage of justice;
- An act creating risk to health and safety;
- An act causing damage to the environment;
- A breach of any other legal obligation; or
- Concealment of any of the above.

It is not necessary for a worker to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. The worker has no responsibility for investigating the matter – it is The Education Alliance's responsibility to ensure that an investigation takes place.

A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because he/she has made a disclosure.

The Education Alliance encourages workers to raise their concerns under this policy in the first instance. If a worker is not sure whether or not to raise a concern, they should raise the issue with their line manager or the Human Resources Department.

7. SAFEGUARDING

All workers must act on any concerns or information that gives them concern about the safety and wellbeing of a child or children arising from circumstances or events in or outside of school. Safeguarding concerns may relate to the conduct or behaviour of a worker towards an individual child or children; information that suggests a worker is unsuitable to work with children, or; belief that the senior leadership team or the Board of Directors has failed to take appropriate action in response to a safeguarding concern raised.

Workers should raise such concerns with their manager in the first instance, however if this is not viewed to be appropriate the worker may wish to raise their concern(s) with a member of the Executive Board, the Senior Leadership Team, the Local Governing Body or the Board of Directors (if the worker is concerned that members of those groups may be implicated they should contact the Local Authority Designated Officer at East Riding Council). If the concern is regarding abuse to children the East Riding Child Care Golden Number or the out of hours Emergency Duty Team can be contacted.

If the concern is that a worker has or may have behaved in a way that has harmed a child or may have harmed a child; possibly committed a criminal offence against or related to a child or; behaved towards a child or children in a way that indicates that he/she would pose a risk of harm to children, the Executive Principal or other member of the Executive Board, the Senior Leadership Team, the Local Governing Body or the Board of Directors will contact the Local Authority Designated Officer to discuss how the allegation should be investigated. It may be

viewed as appropriate for the East Riding Safeguarding Children Board Guidance and DfE Statutory Guidance should be followed.

All concerns will be treated with the strictest confidence by all concerned. The Education Alliance will protect the identity of whistleblowers as much as possible; however, it may not always be possible to do so. All staff involved in any related investigations must maintain confidentiality during and after its conclusion.

8. WHISTLEBLOWING ROUTES

In the first instance, unless the individual reasonably believes his/her line manager to be involved in the wrongdoing, or if for any other reason the individual does not wish to approach his/her line manager, any concerns should be raised with the individual's line manager. If he/she believes their line manager is involved, or for any reason does not wish to approach their line manager, the individual should report the matter to the Human Resources Department or another member of the Executive Board.

The manager must undertake a preliminary investigation and must then discuss the matter with the Human Resources Department and/or the Executive Principal/Head of School. A more thorough investigation may then be undertaken as appropriate. This will include an interview and statement from the individual who raised the issues, potentially other witness statements alongside the collation of any relevant evidence. The manager investigating the issue will report to a panel made up of the Executive Principal, the Head of School and a member of the Board of Directors, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency. If disciplinary action is required, the manager investigating the issue will investigate the matter with assistance from the Human Resources Department and the findings will be shared with the Executive Principal (if there are allegations against the Executive Principal the Human Resources Department will work directly with the Board of Directors). On conclusion of any investigation, the individual will be advised of the outcome of the investigation (including the actions that the Board of Directors has either taken or intends to take). If no further action is to be taken, the rationale for this decision will be shared with the individual. If the individual reasonably believes that appropriate action has not been taken, he/she should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made, including:

- HM Revenue and Customs
- Financial Services Authority
- Office of Fair Trading
- Health and Safety Executive
- Environment Agency
- Director of Public Prosecutions
- Serious Fraud Office
- ACAS

A list of prescribed persons/professional can be found at <https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>).

9. MONITORING COMPLIANCE WITH AND EFFECTIVENESS OF THE POLICY AND PROCEDURE

Effectiveness and compliance of this Policy and Procedure will be monitored via the reporting and auditing of case resolution as issues arise.

10. ASSOCIATED DOCUMENTATION

11.

- Grievance Procedure
- Dignity and Respect Policy and Procedure
- Health and Safety Policy
- Disciplinary Policy and Procedure
- East Riding Safeguarding Children Board

12. REVIEW

This Policy and Procedure will be reviewed within two years of the date of implementation.