Whistleblowing Policy

I2E is committed to encouraging colleagues to report suspected misconduct, fraud or inappropriate behaviours. It aims to establish a fair and impartial procedure to ensure that concerns are raised and addressed to uphold the Trust's commitment to operating with honesty and integrity.

This policy was approved as follows:			
Approver:	**Board of Trustees**	**Date:**	**July 2024**
I2E owner:	CEO	**Version:**	1.0
LAC adoption date:	Autumn 2024	**Review frequency:**	3 years
Status:	Statutory	**Next review date:**	July 2027

This policy applies to all Innovate2Educate Partnership schools.

Document History

Version	Version Date	Author	Summary of Changes
V0.1 draft	**05/02/24**	Operations	Draft Whistleblowing Policy in consultation with the CEO
V1.0	**7/7/24**	Operations	Policy approved by the Trust Board
V1.1	**5/12/24**	Operations	Policy reformatted using new template and Trust name change updated. No material changes to policy content; Trustee review not required.

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1. Scope

The trust takes seriously all whistleblowing disclosures raised and is committed to the highest standards of openness, honesty and accountability; upholding the Seven Principles of Public Life (*see Appendix 1*). It is very important that all employees feel they can talk about *any* concerns they may have and where they have reasonable cause to believe there has been a detrimental effect on education provided to pupils and the working environment for staff.

This policy encourages and enables employees to raise promptly (disclose) any serious concerns they may have about the activities of employees, individuals involved in governance, or external organisations in relation to their dealings with the trust, without worrying about doing so.

Whistleblowing inside the workplace is the term used to describe reporting (disclosure) by employees or ex-employees, of wrongdoing on the part of management, governance, or fellow employees. Wrongdoing may include, for example, fraud, corruption, malpractice, breach of health and safety law, any other illegal or unethical act or breaches of the Trust Code of Conduct. Employees may, for this purpose include, for example, contractors and agency workers.

There are existing procedures in place to enable employees to raise a grievance relating to their employment. The Whistleblowing Policy is intended to cover concerns that fall outside the scope of those procedures. There are separate complaints policies/procedures for service users/pupils, and their relatives.

This Whistleblowing Policy does not replace other policies and procedures including the following:

i. Child Protection/Safeguarding
ii. Complaints
iii. Disciplinary
iv. Grievance
v. Fraud
vi. Staff Code of Conduct

2. Aims

This policy aims to:

- Enable employees to raise any concerns they may have and to receive feedback about the outcome of any resulting investigation. It is important to note that the employee will not receive information regarding the details of the investigation or any actions taken;
- Allow employees to understand how and where to escalate their concerns if, following the completion of any internal processes, their concerns remain.
- Protect employees from reprisals or victimisation for 'whistleblowing' in good faith and set out the expectation that it is everyone's responsibility to raise concerns and live by the Trust values: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

3. Confidentiality

Where an employee has a concern it may be about something that is either already happening, has taken place, or is likely to occur in the future and is:

- A criminal offence or is potentially unlawful;
- Contrary to safeguarding and child protection policies and procedures
- A contradiction to what the employee has been taught, or should have been taught,
- Believed to be, against policies and/or codes of practice issued by the Trust, the school, the DFE, EFA or a professional body,
- A miscarriage of justice,
- An act of fraud, corruption or bribery. *Refer to Fraud Policy for further information*
- Decision-making for personal gain,
- Abuse of position to influence decisions,
- Seems likely to cause damage or harm to a member of the public, the Trust and or School, employees or the pupils, including bullying or victimising,
- An act creating a risk to health and safety,
- An act causing damage to the environment,
- Is a breach of any other legal obligation,
- **Or**

- Is a deliberate attempt by an individual or group of people to conceal any of the above.

Such disclosures should be made confidentially rather than anonymously. It is much more difficult to investigate anonymous disclosures and it will not be possible to provide feedback to an anonymous whistleblower. Anonymous disclosures will only be considered if the issues raised are:

- very serious
- The credibility of the allegation is considered to be high
- The likelihood of confirming the allegation is high

The trust will respect the whistleblower's confidentiality when investigating a disclosure and where it is made in good faith and falls into one (or more) of the above categories, the whistleblower will be afforded protection under the Public Interest Disclosure Act 1998 from any repercussions on their present position or future career. The Act does not protect anyone who is acting maliciously, making false allegations or who is seeking personal gain. The trust does not tolerate any form of harassment or victimisation against an individual raising a concern.

A full list of disclosures qualifying for protection can be found in the Public Interest Disclosure Act 1998.

If an employee fails to raise a concern based upon the above categories this may result in disciplinary action being taken.

The trust will seek consent from the whistleblower before disclosing information that could identify them. If the whistleblower does not provide consent, it may be that the trust is unable to investigate the allegation any further. If the allegation is sufficiently serious to require an investigation the trust may reveal the whistleblower's identity without consent.

4. Making a disclosure

4.1 Who can make a disclosure?

- Any individual who currently works for or who has previously worked for the trust.
- An individual who works for an organisation that provides a service to the trust such as agency workers or contractors.
- Volunteers, including individuals involved in governance.

4.2 How to make a disclosure?

Disclosures can be raised orally or in writing, by completing the Whistleblowing Reporting Form (see Appendix 2). The whistleblower must provide as much detail as possible (including specific names, dates and places where known).

4.3 Who should a whistleblower disclose to?

All safeguarding concerns must be reported to a Designated Safeguarding Lead (DSL) or Deputy Designated Safeguarding Lead (DDSL). Concerns that a member of staff or adi2e working at school may pose a risk of harm to a child or young person must be disclosed to the DSL (Headteacher) who will contact firstly the Local Authority Designated Officer (LADO), then the Trust DSL, CEO.

- Employees or volunteers based in a school should make their disclosure to their Line Manager who will determine if they can take the disclosure forward or need to escalate it to a more senior level. In situations where the employees may feel unable to approach their Line Manager, they may contact the Headteacher.
- Where the concerns being raised relate to the Headteacher, employees may contact their Local Chair of Governors who will then inform the CEO.
- Where the concerns being raised relate to the central executive team, employees should contact the CEO.
- Where the concerns being raised relate to the CEO, employees should contact the Trust Board Chair.
- Employees centrally employed by the trust should make their disclosure to their line manager who will determine if they can take the disclosure forward or need to escalate it to a more senior level.
- Where an employee is concerned that a Local Academy Committee member is acting or proposing to act unreasonably or has failed to discharge its duties, this can be raised with the Local Chair of Governors.
- Where an employee is concerned that the Board of Trustees is acting or proposing to act unreasonably or has failed to discharge its duties, this can be raised with the CEO.
- Trade Union members may wish to contact their union representative for assistance or advice on raising an issue.

Names and contact information for the above people can be found in Appendix 3.

Alternatively, where concerns are serious and criminal activity is suspected, employees must raise issues directly with the Police or other relevant agencies as they see fit.

5. How the disclosure will be managed?

The action taken will depend on the nature of the disclosure. For example, the matter may:

- Be investigated internally;
- Be investigated by the Central Executive Team;

- Be investigated by a third party;
- Be referred to an External Auditor;
- Be referred to the Police; or
- Form the subject of an independent inquiry.

To protect individuals and the trust, initial enquiries will be made to determine whether a formal investigation is appropriate and what form it should take. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example, the involvement of other members of trust staff, legal or HR advisors, the police or the DfE.

Allegations which fall within the scope of specific procedures (e.g. child protection or unlawful discrimination issues) will normally be dealt with under those procedures. Some concerns may be resolved by agreed action without the need for investigation.

The person with whom the disclosure was made will write to the whistleblower (within 10 working days of receiving the disclosure) to:

- Acknowledge the disclosure;
- Indicate how it is proposed to deal with the matter;
- Advise whether further investigations will take place and, if not, why not; and
- Confirm, where possible, an estimate of how long it will take to provide a final response.

If necessary, further information will be sought from the whistleblower regarding the disclosure. A whistleblower will have the right to be accompanied at any meetings by a Trade Union representative or work colleague.

The Investigating Manager will submit the initial investigation report to the Headteacher to determine if and what other procedures might need to be invoked depending on the nature of the disclosure. Details pertaining to the disclosure will be recorded for monitoring purposes and retained in line with the Document and Retention Management policy.

6. Outcome of the Investigation

If a formal investigation is warranted, the whistleblower will be informed about the outcome of any investigation but not the details of the investigation or any action taken against another employee (e.g. disciplinary action).

The whistleblower has no right to appeal against the outcome of the investigation, however, if they are not satisfied with the outcome of the investigation and wish to take the matter outside the trust, they may contact:

- For safeguarding issues only: Staffordshire County Council's Allegations Manager (LADO) 0300 111 8007 esas@staffordshire.gov.uk
- Department of Education: Via the school
- Regional Schools Director via rg.wm@education.gov.uk
- Relevant professional bodies or regulatory organisations; (EFA, Ofsted, HM Revenue and Customs).

- The Police; via the non-emergency number – 101 or by contacting the local neighbourhood policing team.
- The whistleblowing charity, Public Concern at Work (Tel: 020 7404 6609);
- The Audit Commission (Tel: 0845 052 2646).

When taking the matter outside of the trust, the whistleblower must ensure that they do not disclose any confidential information about the trust or its employees and pupils which is not relevant to the issue.

If on investigation, it is considered that an individual has made malicious allegations without any real substance, then these too will be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

7. Monitoring

The Trust Board will receive reports from the CEO on an annual basis setting out the circumstances and actions taken for all whistleblowing disclosures. The identity and confidentiality of the whistleblower will be protected in these reports and not disclosed. The trustees will consider the wider implications and lessons learnt for the Trust. These considerations will include whether policy and procedures could be improved to better protect the interests of the Trust in the future.

8. Review

This policy will be reviewed annually by the Central Executive team to assess its effectiveness and will be updated as necessary. Significant changes will be presented to the Board of Trustees for approval.

Appendix 1

The Seven Principles of Public Life

Originally published by the Nolan Committee: The Committee on Standards in Public Life was established by the then Prime Minister in October 1994, under the Chairmanship of Lord Nolan, to consider standards of conduct in various areas of public life, and to make recommendations.

1. **Selflessness**
Holders of public office should act solely in terms of the public interest. They should not do so to gain financial or other material benefits for themselves, their family, or their friends.

2. **Integrity**
Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

3. **Objectivity**
In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

4. **Accountability**
Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

5. **Openness**
Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

6. **Honesty**
Holders of public office must declare any private interests relating to their public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

7. **Leadership**
Holders of public office should promote and support these principles by leadership and example.

Appendix 2

Whistleblowing Reporting Form

If you have any whistleblowing disclosure please print and complete this form. Disclosures are then raised as the policy states above. Disclosure should be made confidentially rather than anonymously as anonymous disclosures make it difficult to conduct a full and thorough investigation.

Name of person(s) you suspect:	
Place of Work / Job title (if known):	

Please provide details of your suspicions. You should include as much information as possible. For example, what was said in telephone or other conversations, dates, times, and places, as well as the names of any other parties involved. (Continue on a separate page if necessary and attach any evidence you may have – if appropriate)

Your Name:	
Your telephone number or contact address:	

Please return this form as indicated in the section "**Who should a whistleblower disclose to**". Email addresses can be found in Appendix 3 of the Whistleblowing Policy.

Appendix 3

Contact Information for emailing completed Whistleblowing Reporting Form

Headteacher	Contact the appropriate school (details on the school website) for school concerns.	
Sid Slater	Chair of the Board of Trustees (Trust concerns)	s.slater@i2e.org.uk
Kerry Rochester	CEO (Trust concerns)	k.rochester@i2e.org.uk
Andy Storer	CFO (Financial concerns)	a.storer@12e.org.uk