



**The Charter Schools Educational Trust**  
Transforming lives through the power of inclusive education

# Whistleblowing Policy and Procedure

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## Whistleblowing Policy and Procedure

### The Charter Schools Educational Trust

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#### Introduction

The Charter Schools Educational Trust is committed to achieving the highest possible standards of service and ethical standards in public life and it is important to us that no one is worried about raising such issues and do not feel that reporting them is either not their business or would be disloyal to colleagues, managers or to the school.

If you have concerns about something that is happening at work, which you think could be unlawful conduct, financial malpractice, a concern for the welfare, or safeguarding of a child or be dangerous to the public or the environment, it is important that you know what you can do to bring it to the Trust's attention.

The Trust Board has introduced this Whistleblowing policy in line with the Public Interest Disclosure Act 1998 (which you one can view at <http://www.opsi.gov.uk/acts/acts1998>) to enable workers (see below) to raise issues of concern in an appropriate manner.

The term 'worker' broadly includes employees, volunteers (including Trustees and Governors), independent contractors, agency workers, trainees and a person who is or was subject to a contract or agreement to undertake work or services for the School

This policy is primarily for concerns where the well-being of others or of the organisation itself is at risk.

#### Aims of the policy

This policy aims to:

- Encourage you to feel confident in raising concerns
- Provide avenues for you to raise concerns and receive appropriate feedback.
- Ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied.
- Advise you of the most effective way to ensure that your concerns are dealt with
- Reassure you that you will be protected from any reprisals or victimisation by the Trust or its leaders, if you have reasonable belief that the matter disclosed tends to show wrongdoing and you have made the disclosure in an appropriate manner and in good faith.

### **What to raise concerns about**

The Public Interest Disclosure Act (PIDA) lists matters about which concerns can be raised and these are as follows: This policy covers whistleblowing relating to alleged:

- unlawful conduct
- miscarriages of justice in the conduct of statutory or other processes
- failure to comply with a statutory or legal obligation
- potential maladministration, misconduct or malpractice
- health and safety issues including risks to the public as well as risks to pupils and members of staff
- action that has caused or is likely to cause danger to the environment
- abuse of authority
- unauthorised use of public or other funds
- fraud or corruption
- breaches of financial regulations or policies
- mistreatment of any person
- action that has caused or is likely to cause physical danger to any person or risk serious damage to school property
- sexual, physical or emotional abuse of members of staff or pupils
- unfair discrimination or favouritism
- racist incidents or acts, or racial harassment and
- any attempt to prevent disclosure of any of the issues listed.

When you make an allegation you should be prepared to give all the evidence that you have that substantiates your allegation.

### **Our assurances to you**

#### To protect you

The Trust Board and Local Governing Bodies are committed to this policy. If you make a disclosure on one or more of the matters listed above and you have a reasonable belief that your concern is real and you are acting in good faith, you will not suffer any detriment, even if after investigation it transpires that your concern is not borne out in detail.

To protect the evidence you have given us that supports your concern, we will ask for and keep copies of any evidence you hold that substantiates your concern.

### To protect your identity

We will not tolerate the harassment or victimisation of anyone raising a genuine concern. If such harassment or victimisation should occur, you should write to your respective Chair of Governors who will deal with the matter.

However, we recognise that you may nonetheless want to raise a concern in confidence. If you ask us to protect your identity, we will not disclose it without informing you. We will advise you when concerns raised formally about colleague cannot be presented to them or investigated without revealing your identity. If the situation arises where we are not able to resolve the concern without revealing your identity (for instance because your evidence is needed in court), we will discuss with you whether and how we can proceed. If you do not tell us who you are, it will be much more difficult for us to investigate the matter. Anonymous complaints that are not supported by any evidence cannot be investigated. You should also be aware that we have a duty to protect colleagues from unfounded anonymous accusations.

While we will consider anonymous reports, it will not be possible to apply many aspects of this policy for any concerns raised anonymously.

### **How to raise a concern internally**

#### Stage one

If you have a concern about malpractice, we hope you will feel able to raise it first with your line manager. This may be done orally or in writing.

#### Stage two

If you feel unable for whatever reason to raise the matter with your line manager under stage one, please raise the matter with your Headteacher or with the Trust Director of Human Resources.

When you raise the matter, please say if you are doing this in confidence. The person you contact can then make appropriate arrangements.

#### Stage three

If stage one and/or two have been followed and you still have concerns, or if you feel that the matter is such that you feel you cannot raise it with your manager or Headteacher, for example because it concerns them or it is very serious, please write to the Chair of The Trust Board ([Chair@tcset.org.uk](mailto:Chair@tcset.org.uk) )

### **How to raise concerns about fraud**

Disclosures concerning fraud should be made to your Headteacher and to the Chair of the Trust Board ([Chair@tcset.org.uk](mailto:Chair@tcset.org.uk))

## Advice

If you are unsure whether to use this procedure or you want independent advice at any stage, you may contact:

- Your trade union:

UNISON	0800 0857 857
Unite the union	020 8800 4281
GMB	020 8202 8272
NUT	020 8800 4281
NASUWT	020 7490 6130
ATL	0207 930 6441
NAHT	0300 30 30 333
ASCL	0116 2991122

The independent charity Public Concern at Work on 020 7404 6609. Their lawyers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work.

## How will we handle the matter?

Once you have told us about your concern, the following steps will be taken:

- Look into it to assess initially what action should be taken. This may involve an internal inquiry or a more formal investigation.
- Write to you summarising your concern and setting out how we propose to handle it and provide you with details of the person handling the matter and how you can contact him or her. We will write to you at your home address unless you tell us not to.
- The investigations will be conducted on a strictly confidential basis and the subject of the complaint will not be informed unless and until it becomes necessary.
- We will give you as much feedback as necessary. However, please note that we may not be able to tell you the action we take where this would infringe a duty of confidence owed by us to someone else.
- Inform the Headteacher that you have raised a concern under the whistleblowing policy and provide him/her with details of your complaint.
- The Headteacher will keep a central record of all such complaints and where the complaint was not raised directly with him/her, ensuring the progress of the investigation and of action taken.

## External contacts

While we hope this policy gives you the reassurance you need to raise such matters internally, we would rather you raised a matter with the appropriate regulator than not at all. Provided you are acting in good faith and you have evidence to back up your concern, you can also contact, for example:

Audit Commission Whistleblowing hotline 020 7798 7999 (matters of fraud or corruption)

Health and Safety Executive, Rose Court, 2 Southwark Bridge, London, SE1 9HS [www.hse.gov.uk](http://www.hse.gov.uk)

Equality and Human Rights Commission Fleetbank House, 2-6 Salisbury Square, London EC4Y 8JX Tel: 020 7832 7800

The British Council of Disabled People, Litchurch Plaza, Litchurch Lane, Derby, DE24 8AA. Tel: 0208 459 2998

Independent Advocacy Service, Avenue M, Stoneleigh Park, Warwickshire, CV8 2LG. Tel: 024 7669 7443

Children's Society, Edward Rudolph House, 69 Margery Street London WC1X 0JL Tel: 020 7841 4400.

If you do not feel able to raise your concern in the ways outlined above, you should consult the Public Interest Disclosure Act for information about other routes by which a disclosure may be made.

## How to raise concerns about other matters

The Whistleblowing policy is designed to sit alongside the Trust's Safeguarding Policy, Grievance Procedure, and Respect at Work Policy. As a guideline, concerns, which should be raised through these routes, are as follows:

- Safeguarding issues should be raised through Safeguarding procedures
- Employment related issues should be raised through the Trust's Grievance Procedure
- Relationships with members of staff should be dealt with under the Respect at Work Policy
- The Trust's Complaints Policy and Respect at Work Policy can be used for complaints about Governors and Trustees.

## APPENDIX A

### WHISTLEBLOWING POLICY

#### GUIDANCE FOR MANAGERS ON RESPONDING TO A MATTER OF CONCERN RAISED BY AN EMPLOYEE

1. Headteachers should ensure that employees are aware of the Whistleblowing Policy and know where it can be located.
2. If you receive a disclosure in respect of any of the matters set out under the heading 'What to Raise a Concern About' in the Whistleblowing Policy you must take the following action:
  - I. take the matter seriously and do not dismiss or belittle the information,
  - II. ask for evidence and make a secure record of any evidence submitted
  - III. respect as far as possible the confidentiality of the employee, and adhere to the policy under the heading "To protect your identity" where the employee has specifically asked for confidentiality
  - IV. ensure that the employee understands the Whistleblowing procedure,
  - V. acknowledge the concern in writing within three working days.
  - VI. discuss ways that the employee could be supported,
  - VII. investigate the concern objectively, dealing with all parties with sensitivity and tact,
  - VIII. seek advice from the Trust's Director of HR.
  - IX. seek advice and involve other Trustees if appropriate,
  - X. set out clearly how the concern is to be taken forward,
  - XI. ensure that notes are made and kept of the process followed, notes of discussions etc.,
  - XII. keep informed the person raising the concern about the progress made and outcome of the investigation
  - XIII. provide the Headteacher with details of the concern and inform him/her about the progress and outcome of the investigations.
3. If at the conclusion of your investigations you are of the view that the concern was not raised in good faith, seek further advice from the Trust Director of HR.
4. Note that if the concern relates to fraud, you should report it in-line with this policy.