

# CHANCERY EDUCATION TRUST

## WHISTLEBLOWING POLICY

**NOVEMBER 2022**

Next Review Date: November 2025

Chancery Education Trust is committed to safeguarding and promoting the welfare of children and young people and expects all staff and volunteers to share this commitment.

# **CHANCERY EDUCATION TRUST**

## **WHISTLEBLOWING POLICY**

### **Introduction**

Chancery Education Trust is committed to conducting its business with honesty and integrity and expects all staff to maintain high standards in accordance with their contractual obligations and the Trust/Academy School policies and procedures from time to time in force.

This policy reflects our current practices and applies to every individual working for the Trust/Academy School irrespective of their status, level or grade. It therefore includes, the CEO, Headteacher/Principal, Heads of Years/Subjects, members of the Senior Leadership Team, directors, employees, consultants, contractors, trainees, volunteers, home-workers, part-time or fixed-term employees, casual and agency staff (collectively referred to as "Staff" in this policy) who are advised to familiarise themselves with its content.

However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

The aim of this policy are to:

- encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- provide staff with guidance as to how to raise those concerns;
- reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. It is provided for guidance to all members of staff at the Trust/Academy School and we reserve the right to amend its content at any time.

### **What is whistleblowing?**

Whistleblowing is the disclosure of information, which relates to suspected wrongdoing or dangers at work. This may include:

- Criminal activity
- Child protection and/or safeguarding concerns
- Miscarriages of justice
- Danger to health and safety
- Damage to the environment
- Failure to comply with any legal or professional obligation or regulatory requirements

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- Financial fraud or mismanagement
- Negligence
- Breach of our internal policies and procedures including our Staff Code of Conduct
- Conduct likely to damage the Trust's/Academy School's reputation
- Unauthorised disclosure of confidential information
- The deliberate concealment of any of the above matters

A whistleblower is a person who raises a genuine concern that they believe is in the public interest relating to any of the above. If the member of staff has any genuine concerns related to suspected wrongdoing or danger affecting any of the Trust's/Academy School's activities (a whistleblowing concern) they should report it under this policy.

This policy should not be used for complaints relating to staff's own employment position or personal circumstances at work, such as the way they have been treated at work. In those cases they should use the Staff Grievance Policy.

If you are uncertain whether something is within the scope of this policy, you should seek advice from the Headteacher/Principal.

## **Confidentiality**

The Trust/Academy School hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if a member of staff wants to raise their concern confidentially, the Trust/Academy School will endeavour to keep their identity secret in so far as it is possible to do so when following this policy and procedure. If it is necessary for anyone investigating that member of staff's concern to know their identity, the Trust/Academy School will discuss this with the member of staff first. If disciplinary or other proceedings follow the investigation, it may not be possible to take action as a result of a disclosure without the member of staff's help, so they may be asked to come forward as a witness. If they agree to this, they will be offered support.

Although a concern may be made anonymously, we encourage staff to put their name to their allegation whenever possible. Concerns that are expressed completely anonymously are much less powerful and proper investigation may be much more difficult or impossible. It is also much more difficult to establish whether any allegations are credible and to protect a member of staff's position or to give feedback on the outcome of investigations.

We will consider anonymous concerns at our discretion, taking into account factors such as the seriousness of the issue raised, the credibility of the concern and the likelihood of confirming the allegation from other sources.

Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed above and appropriate measures can then be taken to preserve confidentiality.

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If staff are in any doubt, they can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are:

Protect  
(Independent whistleblowing  
charity)

Helpline: (020) 3117 2520  
E-mail: [whistle@protect-  
advice.org.uk](mailto:whistle@protect-advice.org.uk)  
Website: [www.pcaw.org.uk](http://www.pcaw.org.uk)

## **Raising a whistleblowing concern**

The Trust/Academy School hope that in many cases, staff will be able to raise any concerns with their Line Manager, speaking to them in person or putting the matter in writing if they prefer. Together, they may be able to agree a way of resolving the concern quickly and effectively.

Where a staff's concern is regarding potential poor or unsafe practice or potential failures in the Trust's/Academy School's safeguarding regime, they should raise this initially with the Headteacher/Principal.

However, where the matter is more serious, or the Line Manager has not addressed the concern or the member of staff would prefer not to raise it with them for any reason, then they should contact one of the following:

- the Headteacher/Principal
- [a Governor with responsibility for Whistleblowing matters]
- a Trustee

It would be helpful if the member of staff can provide as a minimum the following information:

- the nature of the concern and why they believe it to be true; and
- the background and history of the concern (giving relevant dates where possible).

The Trust/Academy School will arrange a meeting with the member of staff as soon as possible to discuss their concern. The Trust/Academy School may ask them for further information about the concern raised in this meeting or at a later stage.

The Trust/Academy School will take down a written summary of the concern raised and provide the member of staff with a copy as soon as practicable after the meeting. It will also aim to give them an indication of how it proposes to deal with the matter.

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## **Investigation and outcome**

After the meeting, the Trust/Academy School will carry out an initial assessment to determine the scope of any investigation. The Trust/Academy School will inform the member of staff of the outcome of its assessment. The member of staff raising the concern may be required to attend additional meetings in order to provide further information of the concern they have raised.

In some cases the Trust/Academy School may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter (this may include externally appointed persons). The investigator(s) may make recommendations for change to enable the Trust/Academy School to minimise the risk of future wrongdoing.

The Trust/Academy School will aim to keep the member of staff informed of the progress of the investigation and its likely timescale. It will endeavour to complete its investigation within a reasonable timeframe. However, sometimes the need for confidentiality may prevent the Trust/Academy School from giving specific details of the investigation or any disciplinary action taken as a result. The member of staff is required to treat any information about the investigation as strictly confidential.

If the Trust/Academy School conclude that a whistleblower has made false allegations maliciously or with a view to personal gain, the whistleblower may (where they are an employee) be subject to disciplinary action under the Trust's/Academy School's Disciplinary Policy.

## **If you are not satisfied**

Whilst the Trust/Academy School cannot always guarantee the outcome a particular member of staff is seeking, the Trust/Academy School will try to deal with the concern fairly, professionally and in an appropriate way. If a member of staff is not happy with the way in which their concern has been handled, they can raise it with one of the other key contacts outlined above.

## **External disclosures**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. The Trust/Academy School would expect that in almost all cases, raising the concern internally would be the most appropriate course of action and staff should not find it necessary to alert anyone externally.

However, if for whatever reason, a member of staff feel they cannot raise their concern internally and they reasonably believe the information and any allegations are substantially true, the law recognises that in some circumstances it may be appropriate for them to report their concern to another prescribed person, such as a regulator or professional body. The Trust/Academy School strongly encourage staff to seek advice before reporting a concern to anyone externally. The independent whistleblowing charity, Protect, operates a confidential helpline. They

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also have a list of prescribed people and bodies for reporting certain types of concern (see "Further Information" below).

Where a member of staff's concern is regarding the Trust/Academy School's safeguarding practices, and they feel unable to raise it internally or have concerns about the way their concern is being handled by us, they can contact the NSPCC whistleblowing advice line on 0800 028 0285 – 8:00 AM to 8:00 PM, Monday to Friday or email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk). Alternatively, they can write to: National Society for the Prevention of Cruelty to Children (NSPCC), Weston House, 42 Curtain Road, London EC2A 3NH.

Whistleblowing concerns usually relate to the conduct of Trust/Academy School Staff, but they may sometimes relate to the actions of a third party, such as a service provider. In some circumstances, the law will protect a member of staff if they raise the matter with the third party. However, they are encouraged to report such concerns internally first. Staff should contact one of the other individuals set out above for guidance.

### **Protection and support for whistleblowers**

It is understandable that whistleblowers are sometimes worried about possible repercussions. The Trust/Academy School are committed to good practice and high standards. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

Staff must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that they have suffered any such treatment, they should inform the CEO/Headteacher/Principal immediately. If the matter is not remedied to the member of staff's satisfaction, they should raise it formally using the Trust's/Academy School's Grievance Policy.

No member of staff must threaten or retaliate against an individual who has raised a concern in any way. We will not tolerate any such harassment or victimisation, and anyone involved in such conduct will be subject to disciplinary action.

However, to ensure the protection of all our staff, those who raise a concern frivolously, maliciously and/or for personal gain and/or make an allegation they do not reasonably believe to be true and/or made in the public interest will also be liable to disciplinary action.

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## Further information

Protect (formerly known as Public Concern at Work) is a source of further information and advice at [protect-advice.org.uk](https://protect-advice.org.uk). Protect provides free, confidential whistleblowing advice, and can be contacted online via its website: [protect-advice.org.uk/contact-protect-advice-line](https://protect-advice.org.uk/contact-protect-advice-line) or by telephone on 020 3117 2520.

All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing. Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Headteacher/Principal in the first instance.

## Monitoring and Implementation Policy

The policy is reviewed every 3 years, although the Trust may vary or amend it periodically to ensure that we fulfil our obligation around the Whistleblowing Policy. All proposed changes to this policy would be made following the approval from the Committee.

	Name	Date
Policy written by	CET Board	November 2022
Review by Committee	CET Board	November 2022
Approved by Committee	CET Board	November 2022
Adopted by Governing Board	Local Governing Board	February 2023
To be reviewed every 3 years		
Review by	November 2025	

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