



**WHISTLE BLOWING
POLICY &
PROCEDURE**

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Introduction

This Whistle Blowing Policy & Procedure is about the ways in which concerns about malpractice may properly be raised within the KWEST Multi Academy Trust and if necessary outside, whilst protecting whistle blowers from dismissal and victimisation.

The Public Interest Disclosure Act 1998 came into force in 1999. It applies to all organisations. It protects workers from victimisation when they blow the whistle inside and – where there is a good reason – outside an organisation. It encourages people to raise concerns about malpractice in the workplace. It helps ensure that organisations are able to focus on the message rather than the messenger, so that serious malpractice is not covered up.

Workers are often the first to realise that there may be something seriously wrong within their workplace. However, they may not voice their concerns because they feel that speaking out would be disloyal to their colleagues or their employer. They may also be worried about being harassed or victimised. In these circumstances, some people might find it easier to ignore the issues, rather than report what may be just a suspicion of malpractice.

It is important to strike a balance between the right of the individual employee to speak freely and the right of the employer or colleagues to protect themselves against false or malicious accusations.

It can be hard to raise a concern, especially if it could have an impact on friends, colleagues or managers (CEO/Executive Team/Executive Headteachers/Head of Schools). A Whistle Blowing Policy & Procedure shows how concerns about malpractice, either inside or outside the workplace, can be raised whilst protecting whistle blowers from the threat of victimisation or dismissal.

Any disclosure made in 'good faith' will be protected by this policy if the whistle blower has a reasonable suspicion that malpractice has occurred, is occurring or is likely to occur.

Definition

Whistle blowing inside the work place is defined as the reporting by workers or ex-workers of wrong doing such as fraud, malpractice, mismanagement, breach of health and safety law or any other illegal or unethical act either on the part of leadership and management, the Board of Trustees (Board), Local Improvement Teams (LITs) or by fellow employees. Workers may include volunteers, contractors and outside agencies or others.

Principles supporting the procedure

The Trustees, CEO, LITs, Executive Headteachers and Head of Schools are committed to the highest possible standards of conduct, openness, honesty and accountability. In line with that commitment we expect employee's to tell us about any serious concerns they might have about any aspect of the KWEST Multi Academy Trust's process and procedures or colleagues. All employees have a legal duty to pass on any concerns involving the safeguarding or protection of children to someone who can deal with it. This will include concerns about fellow professionals, or anyone who works with or comes into contact with, children. We recognise that most cases will have to proceed on a confidential basis.

This policy document confirms that employee's will be able to express their concerns without fear of being victimised, or penalised in any way. It aims to encourage and enable employees

to raise concerns internally, rather than ignoring the problem or taking it outside the organisation.

About this policy

This policy applies to all employees, students on placement, volunteers, agencies and anyone else who has access to pupils or KWEST Multi Academy Trust's academies. This includes contractors working on site, suppliers and those providing services either to the pupils or KWEST Multi Academy Trust's academies.

Where the procedure refers to a manager or supervisor, this will normally mean their line manager, the Executive Headteacher/Head of School or the CEO (as applicable to the employee's place of work).

This procedure is in addition to the complaints procedure.

This procedure should be used to raise serious concerns. These include:

- conduct which has failed, or is likely to fail, to comply with a legal obligation;
- disclosure related to miscarriages of justice;
- actions which endanger the health or safety of any individual, including risks to children or the public as well as other workers;
- damage to the environment;
- theft or misuse of academy property or assets;
- the unauthorised use of public funds;
- possible fraud or corruption;
- serious departure from professional standards;
- sexual or physical abuse of children / service users / workers;
- neglect or emotional abuse of children in the institution;
- serious breach of KWEST Multi Academy Trust's policies and procedures.

This is not a complete list.

All employees have a duty to report fraud and offences of a criminal or child protection nature. They should use their own judgement but it is better to report suspicions using these procedures rather than ignore concerns.

Employees can use these procedures to report concerns about service provision, or the conduct of employees or other people. This might include something that:

- goes against orders and/or policies of the academy or the Local Safeguarding Board;
- falls below established standards or practice;
- could be viewed as improper conduct; or
- makes individuals feel uncomfortable and goes against their experience of right and wrong

Creating an ethical open culture.

It is important that all employees raise their concerns as soon as possible rather than wait until they become more serious.

The Trust Code of Conduct informs employees of what kind of conduct is considered unacceptable. All employees are expected to have read and understood the code.

Communicating concerns internally in a safe environment.

Where there are serious concerns expressed about wrong doing, these will be dealt with seriously and the whistle blower protected.

We do not tolerate harassment or victimisation in any form and will take action to prevent it. Whistle blowers will be treated as witnesses not complainants. Victimising people who raise genuine concerns will be treated as a disciplinary offence. At the same time, it is also a disciplinary offence to make allegations that are untrue or malicious.

Reporting concerns

When concerns arise the employee should first contact their line manager. If the line manager is the person named in the complaint then it should be referred to the next senior manager nominated to receive complaints, or go directly to their Executive Headteacher/Head of School or in the case of the complaint being about the Executive Headteacher/Head of School/Executive Team (other than the CEO) inform the CEO. If the complainant refers to the CEO this would be reported to the Co-Chairs.

Wider disclosure

Although the Board would prefer employees not to take their concerns to someone outside KWEST without first going through these internal procedures, there may be a good reason for doing so. For example, you may not be happy with the conclusions of the manager. Other reasons could be that senior managers are involved, or there are serious health and safety issues or possible discrimination.

The sources which could be used are:

- Co-Chairs of the Board of Trustees
- Local Safeguarding Board if the matter is about child protection or safeguarding issues
- Police
- Health & Safety Executive
- Union
- Local Authority Education Department
- email | whistleblowing@kwestacademy.com

Trustee with Responsibility for Whistleblowing

Mr Paul Rout | Co-Chair | paul.rout@kwestacademy.com

Report Form to Be Used for Disclosures

Name of Academy: _____

<p>Name</p> <p>(staff member making report - not compulsory but you are encouraged to insert your name)</p>	
<p>Persons reported</p>	
<p>Concerns reported (give full details of the background to the concern including names, dates and places; reasons why you are concerned – attach separate sheet if necessary)</p>	
<p>Date</p>	
<p>Signed (if name appears above)</p>	
<p>Actions</p>	
<p>Person investigating</p>	