



# WHISTLEBLOWING POLICY

This policy is applicable to all students, staff and parents of Wellington College Academy Trust.

## DOCUMENT CONTROL

<b>Responsible position:</b>	<b>Approved by:</b>
HR Department	Executive Headteacher
<b>Version number:</b>	<b>Date approved:</b>
5.0	January 2017
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3 years	January 2020

## RELATED POLICIES AND DOCUMENTS

<b>Policy Name</b>	<b>Date Issued</b>
Health & Safety Policy	January 2017
Safeguarding & Child Protection Policy	December 2016
Equal Opportunities Policy	January 2017

## REVISION RECORD

Date	Version	Revision Description
Sept 2009	1.0	Written in line with current legislation and policies
June 2013	2.0	Amended and reviewed in line with new policies
Sept 2014	3.0	Updated for MAT purposes
January 2015	4.0	Reviewed for boarding purposes
January 2017	5.0	Amended and reviewed in line with new policies

## **INTRODUCTION**

The Wellington College Academy Trust (Trust) is committed to the highest standards of openness and accountability in the delivery of its services to its students, staff, parents and the general community. Whilst the Trust has put in place a wide range of regulations, policies and procedures to deliver this commitment, malpractice and/or wrongdoing unfortunately may occur.

## **PURPOSE**

Employees are often the first to realise that there may be something wrong within the Trust. However an employee may be worried about raising such issues out of loyalty to colleagues, managers or the Trust itself. Employees may raise issues but not use the correct channels and be unsure about the correct procedure. The purpose of this policy is to set out the principles within which the Trust to deal with whistleblowing issues, subject to the understanding that each case may need to be treated on its own individual merits.

## **GUIDELINES**

The Trust is not prepared to tolerate any malpractice, abuse or wrongdoing and it expects employees and others that we deal with, who have concerns about what is happening at work to come forward and voice those concerns. This policy is in place to enable staff to raise concerns about such malpractice or wrongdoing at an early stage and in the right way, without fear of victimisation, subsequent detrimental treatment or disadvantage. The policy is intended to encourage staff to raise issues within the Trust or if not appropriate, externally, rather than overlooking a problem. For definitions of malpractice, abuse or wrong doing see Appendix 1.

The Trust has particular responsibility for protecting the welfare of children and employees are under an obligation to raise concerns about the abuse of such individuals.

## **INDEPENDENT ADVICE**

If you require independent advice at any time you can contact Public Concern at Work [www.pcaw.co.uk](http://www.pcaw.co.uk) ((020) 7404 6609 or [whistle@pcaw.co.uk](mailto:whistle@pcaw.co.uk)) a registered charity that promotes accountability in organisations and responsibility amongst individuals. Alternatively employees may seek assistance from a Trade Union or professional organisation.

## **THE TRUST'S ASSURANCES TO EMPLOYEES**

If an employee raises a genuine concern under this policy they will not be at risk of losing their job or suffering any form of retribution as a result. If an employee is acting in good faith it does not matter if they are mistaken. However, the Trust will view very seriously any false and malicious allegations which are made under this policy and will regard such allegations by any employee of the Trust as a serious disciplinary offence, in accordance with the Trust's Disciplinary Procedure.

The Trust will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern in good faith. If an employee requests their identity is kept confidential then it will not be disclosed without prior consent. However, it is possible that the concern will not be able to be resolved without revealing an employee's identity but if this occurs this will be discussed with the individual.

## **RAISING A CONCERN**

Any concerns that may have been raised orally or in writing and those who wish to make a written statement should set out the history of the concern (providing relevant dates) and the reasons for the concern. The Trust will not expect an individual to prove the concern to be true, only demonstrate that there are reasonable grounds for it to be raised.

An employee should raise concerns with their line manager in the first instance however, if this is not appropriate then it should be raised with a member of the senior leadership team, or again, if not appropriate a member of the respective Trust's governing body.

## **PROCEDURE FOR HANDLING CONCERNS**

Once the concern has been raised there will be an initial assessment to determine what action to take. This may involve an internal enquiry, a formal investigation or referral to an external agency e.g. the Police or Local Authority. The outcome of the initial assessment will be confirmed with the employee.

Within 10 working days of a concern being raised, the person handling the matter will write to the employee:

- a. Acknowledging that the concern has been received
- b. Indicating how the matter will be dealt with
- c. Giving an estimate of how long it will take to provide a final response
- d. Informing whether any initial enquiries have been made
- e. Supplying details of staff support resources
- f. Informing whether further investigations will take place and if not, why not

There may be occasions where it is not appropriate to communicate the precise action that is being undertaken as this may infringe a duty of confidence to someone else.

The Trust will take steps to minimise any difficulties experienced as a result of raising the concern. If it is required that an employee gives evidence in criminal or disciplinary proceedings the Trust will arrange for advice to be provided.

## **ANONYMOUS ALLEGATIONS**

Employees are encouraged to put their name to an allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Trust. In exercising this discretion the factors to be taken into account will include:

- a. The seriousness of the issues raised
- b. The credibility of the concern
- c. The likelihood of confirming the allegation from attributable sources

## **EXTERNAL DISCLOSURES**

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external, for example, from Public Concern at Work whose details are outlined above. Employees should be aware that one reason that the Trust recommends that independent advice is taken prior to external disclosures being made is because employees only gain legal protection as a whistleblower if they make disclosures to specified individuals or bodies.

## **APPENDIX 1**

### **ILLUSTRATIVE LIST OF MALPRACTICE, ABUSE OR WRONGDOING**

1. Any unlawful act, whether criminal (e.g. theft) or breach of the civil law (e.g. slander or libel).
2. Maladministration (e.g. unjustified delay, incompetence, neglect advice).
3. Breach of any statutory Code of Practice.
4. Health and Safety risks, including risks to the public as well as other employees (e.g. faulty equipment).
5. Abuse of children and vulnerable adults.
6. Damage to the environment (e.g. pollution).
7. The unauthorised use of public funds.
8. Fraud and corruption.
9. Abuse of power (e.g. bullying/harassment).
10. Other unethical conduct.