



# Whistleblowing Policy

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Current version	Previous version	Summary of key change(s)
1.0	NA	Introduction of a Trust wide policy.
2.0	1.0	Complete review and rewording of policy.

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## **1. About this policy**

- 1.1. Gosforth Group is committed to running the Trust with honesty and integrity, and we expect all staff to maintain high standards. However, all schools 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 and to address them when they do occur.
- 1.2. The aims of this policy are:
  - 1.2.1. 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.
  - 1.2.2. To provide staff with guidance as to how to raise those concerns.
  - 1.2.3. To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- 1.3. This policy covers all employees, consultants, contractors, casual workers and agency workers.
- 1.4. The Trust has overall responsibility for this policy, including keeping it under review.
- 1.5. This policy does not form part of any employee's contract of employment.

## **2. Personnel responsible for the policy**

- 2.1. The Trust has overall responsibility for this policy, and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
- 2.2. The Director of HR (the "Whistleblowing Officer") has day-to-day operational responsibility for this policy.
- 2.3. All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

### **3. What is whistleblowing?**

- 3.1. Whistleblowing is the disclosure of information which, in the reasonable belief of the worker, relates to suspected wrongdoing or dangers at work, which is deemed to be in the public interest. This may include:
  - 3.1.1. criminal activity;
  - 3.1.2. failure to comply with any legal or professional obligation or regulatory requirements;
  - 3.1.3. miscarriages of justice;
  - 3.1.4. danger to health and safety;
  - 3.1.5. damage to the environment;
  - 3.1.6. bribery;
  - 3.1.7. facilitating tax evasion;
  - 3.1.8. financial fraud or mismanagement;
  - 3.1.9. breach of our internal policies and procedures;
  - 3.1.10. conduct likely to damage our reputation or financial wellbeing;
  - 3.1.11. unauthorised disclosure of confidential information;
  - 3.1.12. negligence;
  - 3.1.13. the deliberate concealment of any of the above matters.
- 3.2. A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy.
- 3.3. This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Trust's Resolution Procedure which is available on the intranet.
- 3.4. If you are uncertain whether something is within the scope of this policy you should seek advice from a member of the Senior Leadership Team, or the Whistleblowing Officer, whose contact details are at the end of this policy.

- 3.5. At any point throughout the whistleblowing process you may wish to raise the issue with, and seek advice from, your trade union, or appropriate professional association.

#### **4. Raising a whistleblowing concern**

- 4.1. We hope that in many cases you will be able to raise any concerns with your manager or the Head of School/Principal/Executive Headteacher. You may tell them in person or put the matter in writing, as per the pro forma found in appendix 1, if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. In some cases, they may refer the matter to the Whistleblowing Officer.

- 4.2. However, where the matter is more serious, or you feel that your manager or the senior leader has not addressed your concern, or you prefer not to raise it with them for any reason, you should contact one of the following:

4.2.1. The Whistleblowing Officer

4.2.2. The CEO

Contact details are set out at the end of this policy.

- 4.3. A representative of the Trust's Executive team will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

- 4.4. We will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

#### **5. Confidentiality**

- 5.1. We hope that staff will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, the Trust will make every effort to keep your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you but will make reasonable attempts to protect your identity if this is your wish.

- 5.2. Although any and all whistleblowing concerns will be taken seriously by the trust, we do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Officer or one of the other contact points listed in paragraph 3.4 and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt,

you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

## **6. Investigation and outcome**

- 6.1. Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings to provide further information.
- 6.2. In some cases, we may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.
- 6.3. We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.
- 6.4. If we conclude after investigation that a whistleblower has made false allegations maliciously, the whistleblower may be subject to disciplinary action and may potentially be dismissed by reason of gross misconduct.

## **7. If you are not satisfied**

- 7.1. While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.
- 7.2. If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts in paragraph 3.4. Alternatively, you may contact the Chair of the Trust. Contact details are set out at the end of this policy.

## **8. External disclosures**

- 8.1. The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the academy/Trust. In most cases you should not find it necessary to alert anyone externally.
- 8.2. 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. It will very rarely, if ever, be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external and you may wish to

discuss matters with ACAS, your professional body or trade union. The independent whistleblowing charity, Protect (formerly Public Concern at Work), operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

- 8.3. Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as parents, trustees, volunteers, suppliers or service providers. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first. You should contact your manager, a member of the senior leadership team or one of the other individuals set out in paragraph 3.4 for guidance.
- 8.4. For the avoidance of doubt, the Teaching Regulation Agency (TRA) is not considered a prescribed regulator for the purposes of Whistleblowing and any disclosure will not necessarily be protected.

## **9. Protection and support for whistleblowers**

- 9.1. It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 9.2. Whistleblowers 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 you believe that you have suffered any such treatment, you should inform the Whistleblowing Officer immediately. If the matter is not remedied, you should raise it formally using the Trust's Resolution Procedure, which is available on the intranet.
- 9.3. Whistleblowers must not be threatened or retaliated against in any way. Anyone involved in such conduct, may be subject to disciplinary action. In some cases, the whistleblower could have a right to sue personally for compensation in an employment tribunal.
- 9.4. A confidential support and counselling hotline is available to whistleblowers who raise concerns under this policy. Their contact details are set out at the end of this policy. In addition to Protect (previously Public Concern at Work), employees can contact their Trade Union/Professional Association or ACAS for further guidance.
- 9.5. It is important to note that there are several instances when a disclosure will not be protected. A disclosure will not be protected if:
  - It is made to a body or person not prescribed by legislation

- It is made to a prescribed body/person without jurisdiction to investigate the disclosure
- the pre-conditions applying to disclosure are not met (i.e., public interest, reasonable belief in the truth of the information disclosed etc)
- the whistleblower is not a 'worker' within the definition of the law
- the whistleblower commits an offence by disclosing information
- the whistleblower makes allegations instead of disclosing information
- the whistleblower's disclosure amounts to a grievance.

## 10. Contacts

<b>Whistleblowing Officer</b>	Helen Taylor - Director of HR Email: <a href="mailto:Helen.taylor@gosforthgroup.org.uk">Helen.taylor@gosforthgroup.org.uk</a>
<b>CEO</b>	Dr Alexandra Thorp <a href="mailto:Alexandra.thorp@gosforthgroup.org.uk">Alexandra.thorp@gosforthgroup.org.uk</a>
<b>Chair of the Trust</b>	Chris Nicholson Email: <a href="mailto:admin@gosforthgroup.org.uk">admin@gosforthgroup.org.uk</a>
<b>Protect</b> (Independent whistleblowing charity)	Helpline: 020 3117 2520 Email: <a href="mailto:whistle@protect-advice.org.uk">whistle@protect-advice.org.uk</a> Website: <a href="http://protect-advice.org.uk">protect-advice.org.uk</a>

## APPENDIX 1 – WHISTLEBLOWING PRO-FORMA

### Report Form to Be Used for Public Interest Disclosures

This document should be completed by anyone wishing to raise concerns under the Trust's Whistleblowing Policy. Once completed please return to a member of the senior leadership team, or the whistleblowing officer, as appropriate.

<b>Name of Academy:</b>	
<b>Your name:</b> This is not compulsory, but you are encouraged to insert your name to allow a full investigation to take place	
<b>People reported:</b> If applicable	
<b>Concerns reported:</b> Please give full details of the background to the concern including names, dates and places; reasons why you are concerned – attach separate sheet if necessary.	
<b>Date:</b>	
<b>Signed:</b>	