



The Wesley Trust Academy Whistleblowing Policy

Reviewed By	Approved By	Date of Approval	Version Approved	Next Review Date
Tom Cadman	Board of Trustees	07.05.19	1.0	Oct-19

Signed by chair of the Board of Trustees.....

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Whistleblowing: Independent reporting of concerns at work

1. Introduction

Our employees in The Wesley Trust schools will often be the first to notice if there is something seriously wrong within their workplace. Sometimes it may seem difficult to speak up because of feelings of disloyalty, or because of a fear of harassment or victimisation.

We expect the highest standards of behaviour and all employees have a responsibility to voice any concerns they have, normally with their Headteacher or Chair of Governors.

This Whistleblowing procedure is independent and confidential. It can be anonymous if you wish. We will make sure that you will not be victimised or suffer disadvantage if you report your genuine concerns.

It allows employees to bring to the attention of those who can make a difference any practice which they believe or suspect:

- is unlawful
- is a serious breach of the council's policies, procedures and rules (for example, Safeguarding responsibilities)
- falls substantially below established standards of practice
- amounts to improper conduct

It is difficult to come up with a complete list of issues which might cause concern, but you should report known or strongly suspected fraud, corruption, bribery, theft or financial irregularities; the physical, mental or sexual abuse of clients; unfair discrimination; abuse of power; dangerous practices; criminal conduct; serious damage to the environment; negligence; unprofessional behaviour and evasion of statutory responsibilities.

The malpractice might be carried out by school employees, council employees, contractors, consultants, or by members of the governing body.

This procedure is not to be used if you are generally dissatisfied at work or as a replacement to your existing employment rights with the school and the Wesley Trust. If you make any allegations maliciously or for personal gain, you may be disciplined.

What is a whistleblower?

You're a whistleblower if you're a worker and you report certain types of wrongdoing. This will usually be something you've seen at work - though not always.

The wrongdoing you disclose must be in the public interest. This means it must affect others, e.g. the general public.

As a whistleblower you're protected by law - you shouldn't be treated unfairly or lose your job because you 'blow the whistle'.

You can raise your concern at any time about an incident that happened in the past, is happening now or you believe will happen in the near future.

2. Who is protected by law

You're protected if [you're a worker](#), e.g. you're:

- an employee, such as a teacher, support staff , caterer or cleaner
- a trainee, such as a student teacher
- an agency worker
- a member of a [Limited Liability Partnership](#) (LLP)

Get independent advice if you're not sure you're protected, e.g. from [Citizens' Advice](#).

A confidentiality clause or 'gagging clause' in a settlement agreement isn't valid if you're a whistleblower.

3. Complaints that count as whistleblowing

You're protected by law if you report any of the following:

- a criminal offence, e.g. fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, e.g. doesn't have the right insurance
- you believe someone is covering up wrongdoing
- A child or children are at risk of harm

4. Complaints that don't count as whistleblowing

Personal grievances (e.g. bullying, harassment, discrimination) aren't covered by whistleblowing law, unless your particular case is in the public interest.

Report these under your [employer's grievance policy](#).

How to raise a concern:

a) Through your Headteacher or Chair or Governors

Normally you should first speak to your Headteacher. But if you feel that you can't do this – for example if you believe that they are involved – then you should speak to your Chair of Governors.

b) Through your trade union or a councillor

You may find it helpful at this stage to contact your trade union representative, or you might prefer to contact a councillor, or someone who you trust to advocate on your behalf.

c) Through the Whistleblowing route

If you do not feel able to contact any of these people you should contact the CEO of The Wesley Trust.

If you don't feel you can do this either you can email the Chair of the Trustee Board.

You should give as much information as you can, including names, dates, places, history and why you are concerned. You are encouraged, but not required, to leave your name and contact details – it is much easier to investigate a concern if we can speak to you directly and confidentially.

All messages on the telephone and email will be heard and seen only by the above named person(s) who will then review all messages confidentially and contact the Trust Board Audit Committee if necessary.

5. How your concerns will be dealt with

All allegations will be investigated: how and by whom depends on how serious they are and who they involve. The investigation may be handled internally, or referred to an external agency such as the police or the Department for Education.

If you raise your concerns under this policy then we will write to you within 10 working days saying:

- what we intend to do
- how long we think this will take
- whether any more information is required from you

We will let you know the outcome of the investigation, so that you can see that the matter has been properly addressed.

The Wesley Trust Audit Committee will receive regular reports summarising all concerns raised under this policy.

6. Raising your concerns elsewhere:

This Whistleblowing policy has been drawn up so that you can have your concerns dealt with properly, independently and confidentially. You should give as much information as you can, including names, dates, places, history and why you are concerned. You are encouraged, but not required, to leave your name and contact details – it is much easier to investigate a concern if we can speak to you directly and confidentially.

You may consider contacting:

- the police – phone **101** from any phone (9 then 101 from council phones)
- Public Concern at Work – an independent authority on whistleblowing at www.pcaw.co.uk or phone 020 7404 6609.

- Secretary of State for Education contact them about matters relating to the following educational institutions in England:
 - maintained schools
 - maintained nursery schools
 - independent schools (**including academies and free schools**)
 - non-maintained special schools
 - pupil referral units
 - alternative provision academies
 - 16-19 academies (and free schools)
 - sixth form colleges
 - special post-16 institutions

Ministerial and Public Communications Division
Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD Tel: 0370 000 2288
Website: www.gov.uk/contact-dfe