



## Carlton Academy Trust Whistle blowing Policy

**Ratified by Board of Trustees (date):**

**September 2020**

**Signed on behalf of Board of Trustees**

**G Logan**

**Signed on behalf of CEO:**

**A Kneeshaw**

**Review date:**

**September 2021**

## **Aims and Scope of Policy**

The trust is committed to maintaining the highest standards of conduct, and in order to maintain these encourage anyone with serious concerns to come forward and express them. This policy provides a secure framework for employees to raise serious concerns within the school or trust, without fear of reprisal, victimisation or harassment, and will be kept confidential when required and appropriate. For employees who are unsure whether to raise a concern, the advice is to always raise it. This policy applies to trustees, employees, temporary staff, volunteers and contractors.

## **Types of Concern**

Concerns raised may commonly include (non-exhaustive list):

- An unlawful or a criminal offence;
- Breach of a legal obligation;
- Miscarriage of justice;
- Mistreatment or abuse
- Health and safety at work;
- Unfairness in deciding contracts, job applications, or similar
- Financial malpractice
- Fraud or corruption;
- Unauthorised use of public funds;
- Pollution or damage to the environment
- Cover-up of malpractice
- Unethical conduct

## **Making Disclosures**

Employees should report whistleblowing in good faith believing them to be substantially true and without seeking personal gain. They should be made to the Head of School. If it concerns the Head of School, it should be made to the CEO. Central trust staff should make disclosures to the CEO, with concerns about the CEO made to the Chair of Trustees.

All disclosures will be treated in confidence, and after hearing full details of the disclosure the trust will decide if an investigation is required and the nature of this investigation. When deciding whether to investigate, consideration will be made to the seriousness of issues raised, protection of trust assets and interests, and the likelihood that an investigation can fully establish the truth relating to their disclosure. All investigations will be conducted fairly and objectively.

The trust will protect those making disclosures in good faith, and will not tolerate any resultant harassment or victimisation which will be treated as a serious disciplinary matter. Any whistleblowing disclosure will not be influenced by any ongoing disciplinary, grievance or redundancy procedure relating to an employee.

Secure, confidential records of all whistleblowing disclosures and investigations will be kept, with details being reported to trustees.

## **Keeping Whistle-blowers Informed**

The trust will write to all whistle-blowers within ten days of receiving a disclosure. The letter will be sent to their home address, acknowledging their concerns and outlining how they propose to deal with the disclosure. Where a full investigation is required, the trust will provide an estimate of how long it will take to complete and confirm that an independent person/union representative can support them through the investigation.

The trust will appoint a named person who will keep them informed of the progress and outcome of an investigation, as well as supporting them in the workplace, or disciplinary/criminal proceedings.

Updates will not be detailed or breach confidentiality, but provide assurance that their concerns are being addressed. Concerns about the conduct of the investigation can also be raised with this named person.

### **Anonymous Allegations**

Those making anonymous allegations should recognise that these are usually more difficult to investigate, as there is normally no one to refer back to provide further clarification or details. For this reason, those wishing to remain anonymous may register a concern through their trade union, which enables them to maintain anonymity but still be available to provide further information.

### **False Allegations**

Disciplinary action will not be taken against employees when allegations are found to be groundless, provided they are made in good faith. Action may be taken if they are considered malicious or vexatious.

### **External Whistleblowing Disclosures**

If following an investigation, whistle-blowers still feel their concerns have not been adequately addressed, there are external agencies where they can direct these concerns, as listed below.

- The Comptroller and Auditor General
- The Charity Commissioners for England and Wales
- The Office of the Children's Commissioner
- OFSTED
- The Environment Agency
- The Health and Safety Executive
- The Information Commissioner's Office
- Education and Skills Funding Agency

When making an external disclosure, whistle-blowers should take care not to disclose confidential or privileged information. These include:

- Information that would enable a child or other vulnerable client to be identified
- Commercially sensitive information
- Third party personal financial information
- Information that is held as part of court proceedings where the information has not been made public
- Legal advice given to the service