



COASTAL
ACADEMIES TRUST

Whistle Blowing Policy

WHISTLE BLOWING POLICY
COASTAL ACADEMIES TRUST

Date of Policy: March 2019

Date of Review: March 2021

Member of staff responsible for policy review

Chief Finance Officer – Judy Brace

Signed by: Paul Luxmoore Date: 18 March 2019

**Mr Paul Luxmoore, Executive Head & Accounting Officer,
Coastal Academies Trust**

Signed by: Rob Curtis Date: 18 March 2019

Mr Robin Curtis, Chair of Directors, Coastal Academies Trust

1. Introduction

The Coastal Academies Trust Board of Directors has agreed this Policy and as such, it applies to all Academies within the Trust.

The Trust is committed to achieving the highest possible standards of service and ethical standards and this policy will enable you to raise your concerns of serious wrongdoing without fear of reprisal. This policy applies to all individuals working for the Trust at all levels and grades, whether they are employees, contractors, and casual or agency staff.

Whistleblowing is distinct from the Employee Complaints (grievance procedure) which should be used if you have a complaint relating to your personal circumstances in the workplace. Concerns about wrongdoing within the Trust such as fraud, malpractice, mismanagement, breach of health and safety law or any other illegal or unethical act either on the part of management, the Governing Body or by fellow employees should be raised using this procedure.

This policy has been introduced in line with the Public Interest Disclosure Act 1998 (which you can consult at <http://www.opsi.gov.uk/acts/acts1998>) to enable employees to raise issues of concern in an appropriate manner.

2. Purpose

This policy aims to:

- Encourage employees to feel confident in raising concerns
- Establish a fair and impartial investigative procedure
- Provide avenues for employees to raise concerns and receive appropriate feedback
- Ensure that employees receive a response to concerns and are aware of how to pursue them if they are not satisfied
- Ensure that employees will be protected from any reprisals or victimisation by the academy;
 - provided that there is reasonable belief that the matter disclosed tends to show wrongdoing
 - that the disclosure has been made in an appropriate manner.

3. Scope

This policy may be used by all employees at an academy to raise concerns where the wellbeing of others, an academy or the Trust itself is at risk. The term worker broadly includes employees, contractors, agency employees, trainees and a person who is or was subject to a contract to undertake work or services for the academy.

4. Responsibilities

The Trust is responsible for maintaining fair, consistent and objective procedures for matters relating to whistleblowing.

The Headteacher has overall responsibility for the internal organisation, control and management of each academy.

5. Timing

The whistleblowing procedure should normally be laid down in this policy. However, if there is a valid reason to do so, timescales can be varied. If this is initiated by management, the employee should be given an explanation if this occurs and informed when a response or meeting can be expected. Delays should not normally exceed 10 working days.

6. What to raise concerns about

The Public Interest Disclosure Act lists matters about which concerns can be raised, provided they are in the public interest, a list (which is not exhaustive) is outlined below:

- a) That a crime has been committed, is being committed, or is likely to be committed
- b) That a person has failed, is failing, or is likely to fail to comply with any legal obligation to which they are subject,
- c) That a miscarriage of justice has occurred, is occurring, or is likely to occur
- d) That the health and safety of an individual has been, is being, or is likely to be endangered
- e) That the environment has been, is being or likely to be damaged
- f) That information tending to show any of a) to e) above has been concealed or is likely to be deliberately concealed.

We anticipate that disclosure will most likely relate to the actions of employees, contractors, and casual or agency staff, but they may also

relate to the a third party.

7. CAT assurances to employees

To protect employees:

If a worker makes a disclosure and they have a reasonable belief that the concern is genuine, the worker will not suffer any detriment, even if after transpires that the concern is unfounded, unless the concern has been raised falsely or maliciously. The Trust will not tolerate the harassment or victimisation of any worker raising a genuine concern, this may include disciplinary action.

If a worker requests that their identity is protected, CAT will not disclose it unless required to do so in law. If the situation arises where the Trust is unable to resolve the concern without revealing the worker's identity (for instance because the worker's evidence is needed in court), the Trust will discuss with the worker how the matter should proceed. However, it must also be stated that if a worker chooses not to disclose their identity it will be much more difficult for the Trust to look into the matter or to protect their position or to give Trust will consider anonymous reports, it will not be possible to apply all aspects of this policy for concerns raised anonymously.

8. Internal procedure

Stage one - notification

If attached to a particular academy, the worker raising the concern should do so orally or in writing to their Line Manager or Headteacher. If not attached to a particular academy, they should raise the matter with the Executive Head of CAT. They have the right to have the matter treated confidentially.

A concern raised in writing should:

- Set out the background and history of the concern - giving names, dates and places where possible
- Give the reason why the Worker is particularly concerned about the situation
- For clarity it would be helpful for the Worker to state that they wish their concerns to be addressed under the whistleblowing procedure

A Worker is not expected to prove the validity of their concern, however they will need to demonstrate that there is a reasonable suspicion for their complaint.

The Head Teacher or line manager should contact the Executive Head Teacher of CAT who will appoint another investigator who is not implicated (which could be the Headteacher) to undertake a fact find of the alleged complaints.

The Executive Head Teacher will notify the Chair of the Board of Directors that a concern has been raised and the nature of the concern but will not divulge the personal details of who raised the complaint.

Should it be alleged that the Executive Head Teacher is involved in the alleged malpractice; the Chair of the Board of Trustees should be contacted in place of the Executive Head Teacher.

If the individual feels unable to raise their concern with their line manager or the Headteacher in the first instance, they may contact the Chief Operations Officer.

Stage two – the meeting

The investigator will interview the individual who raised the complaint within ten working days, in confidence, or earlier if there is an immediate danger to loss of life or serious injury and will:

Obtain as much information as possible from the individual about the grounds for the belief of malpractice;

- Consult with the individual
- Inform the individual who raised the complaint matter does not fall within the Whistleblowing Procedure;
- Report all matters raised under this procedure to the Trusts Chair of the CAT board.

The individual who raises the complaint may have the right to be accompanied by a recognised trade union representative or a work colleague.

Stage three – the outcome

Within ten working days of the interview, the investigator will recommend to the Executive Head Teacher on the outcome of the investigation and any recommended actions. All outcomes will be reported to the Chair of the CAT board.

The conclusion of any agreed investigation will be reported by the

Executive Head Teacher or a delegated member of the MAT in writing within ten days.

The Academy recognises that an Employee raising a concern would wish to be assured that the matter has been fully addressed. Feedback will be provided on the outcome of the complaint, wherever possible.

In some circumstances, however, it may not be appropriate or permissible to share this information (for example where legal / disciplinary or regulatory authority action is pending or if sharing information may infringe the duty of confidence owed to a third party). Where it is not appropriate to provide detailed feedback the Employee will be advised that the matter has been addressed or concluded as far as is practicable.

Where a matter is not to be considered further the Employee who raised the complaint will be advised of this in writing.

If you do not feel able to raise your concern in the ways outlined above, you should consult the Public Interest Disclosure Act for the ways in which a disclosure may be made.

9. Malicious Accusations

In the event that it is identified that a deliberately false or malicious accusation has been made, this will be dealt with under the CAT disciplinary procedure.

Appendix A: Contact Details

It is the usual expectation that an Employee will have endeavoured to raise the concern internally within the Academy before referring the matter to an external organisation

Internal

<i>Contact</i>	<i>Email</i>
Kate Greig – Executive Head of King Ethelbert and Dane Court	kategreig@kingethelbert.kent.sch.uk
Jane Troth – Headteacher of Cliftonville Primary	8headteacher@cliftonville.kent.sch.uk
Matt Tate – Headteacher Hartsdown	tatem@hartsdown.org
Paul Luxmoore – Executive Head of CAT	luxmoore@danecourt.kent.sch.uk

External

<p>Matt Dunkley Corporate Director – Education and Young Peoples Services Kent County Council Sessions House County Road Maidstone ME14 1XQ</p> <p>Jonathan Duff - Acting Regional South East Regional Schools Commissioner 20 Great Smith St, Westminster, London SW1P 3BT</p>

<i>Contact</i>	<i>Telephone Number</i>	<i>Email / Website</i>
Public Concern at Work	020 7404 6609	www.pcaw.org.uk ;
Department for Education	0370 000 2288	www.education.gov.uk ;
Ofsted	0300 123 3155	whistleblowing@ofsted.gov.uk ;
Local Government Ombudsman	0300 061 0614	www.lgo.org.uk ;

Office of Qualifications & Examinations Regulation	0300 303 3346	Public.Enquiries@ofqual.gov.uk;
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Employees may also wish to raise a concern with:

- An elected member of the local authority
- Relevant Trade Union or professional association where the Employee is a member
- A solicitor
- The police

Support for Employees

- Teachers Support Line www.teachersupport.info;
- Trade Union or professional association where the Employee is a member
- Citizen's Advice Bureau www.citizensadvice.org.uk