



## Whistle Blowing Policy

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<b>Monitoring &amp; Review</b>	HR Committee, HR Director, CEO	
<b>Links</b>	Staff Code of Conduct Policy; Grievance Policy; Safeguarding and Child Protection Policy	
<b>Staff responsible</b>	Trust and Academy Leadership	

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## **1. Introduction**

- 1.1 Summit Learning Trust is committed to the highest possible standards of openness, probity and accountability. In line with this commitment, it is expected that employees or others that we deal with, who have serious concerns about any aspect of its work, to come forward and voice those concerns through agreed procedures, without fear of harassment or victimisation.
- 1.2 It is recognised that most cases will have to proceed on a confidential basis. Summit Learning Trust aims to ensure that all staff members are protected from possible reprisals or disadvantage where they have raised a concerns or disclosed information where they have a genuine concern.
- 1.3 This policy applies to all workers/employees of Summit Learning Trust. The term worker/employee broadly includes employees, contractors, agency workers, trainees, volunteers, and a person who is or was subject to a contract to undertake work or services for our Trust.
- 1.4 This policy does not form part of any employee's contract of employment and it may be amended at any time following consultation.

## **2. Aim of the Policy**

2.1 This policy aims to:

- Encourage employees to feel confident in raising concerns and to question and act upon concerns about practice
- Provide avenues for employees to raise those concerns and receive feedback on any action taken
- Ensure that employees receive a response to their concerns and that they are aware of how to pursue the matter if they are dissatisfied with the response
- Reassure employees that they will be protected from possible reprisals or victimisation for disclosures made where they have a genuine concern.

2.2. This policy is intended to cover major concerns that are in the public interest and that fall outside the scope of other procedures. These include (but are not limited to):

- Conduct which is an offence or a breach of law, including data protection
- Disclosures related to miscarriages of justice
- Significant health and safety risks, including risks to the public as well as employees and learners
- Damage to the environment
- The unauthorised use of public funds
- Possible fraud and corruption
- Sexual, emotional or physical abuse or neglect of clients, or other unethical conduct.

2.3. Any genuine serious concerns that employees have about suspected wrongdoing or danger affecting any aspect of service provision or the conduct of any staff member, Local Governing Body (LGB) members, Trustees or others acting on behalf of our Trust, or suspected wrongdoing, can be reported under this policy.

2.4 Before initiating this policy, employees should consider the following:

- the responsibility for expressing concerns about unacceptable practice or behaviour rests with all employees

- employees should liaise with their line manager to raise questions and seek clarification on issues which are of day-to-day concern
- whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, employees must act to prevent escalation of the problem and to prevent themselves being potentially implicated
- seeking advice from their trade union or professional association

2.5 This policy should not be used for complaints about an employee's personal circumstances (e.g. the way they have been treated). In these circumstances, an employee should use the Grievance Policy (available on SharePoint).

### **3. Safeguards**

#### **3.1. Harassment or Victimisation**

3.1.1 It is recognised that the decision to report a concern can be a difficult one to make. If what is being reported is true, or if there are reasonable grounds for believing that it is true, disclosure forms part of a duty to your employer and those for whom a service is being provided.

3.1.3 Summit Learning Trust will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect employees when they raise a genuine concern under this policy.

3.1.4 Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that may already affect the individual.

#### **3.2 Confidentiality**

3.2.1 All concerns raised under this policy will be treated in confidence and every effort will be made not to reveal your identity, if you so wish. At the appropriate time, however, you may be asked to come forward as a witness.

#### **3.3 Anonymous Allegations**

3.3.1 This policy encourages staff members to put their names to allegations, whenever possible. It may be difficult to progress anonymous complaints as it is more difficult to establish whether allegations are credible. Anonymous allegations will be considered based on:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

#### **3.4 Unfounded Allegations**

3.4.1 If an employee makes an allegation where they have a genuine concern, but it is not confirmed by the investigation, no action will be taken against them. If, however, individuals make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.

#### **3.5 Support for Employees**

3.5.1 It is recognised that raising concerns can be difficult and stressful. Advice and support will be made available, as appropriate to both the employee(s) raising the concerns and any employee(s) subject to investigation.

#### **4. How to raise a concern**

- 4.1 Employees should normally report their concern to the Principal/line manager. If the concern involves the Principal or line manager, the staff member should report their concerns to the Executive Team, Chief Executive Officer or Chair of the Board of Trustees.
- 4.2 Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff members raising a concern should also include details of any personal interest in the matter.
- 4.3 If the employee is unsure whether to or how to use this policy, they are advised to contact:
- their trade union or professional association
  - the independent charity, [Protect](#) via their helpline on 020 3117 2520

#### **5. How our Trust will respond**

- 5.1 When a concern is received, an appropriate senior person will be appointed as investigating officer and will meet with the individual raising the concern. The Investigating Officer will aim to meet with the individual within 10 working days and will:
- obtain as much information as possible about the grounds for the belief or malpractice;
  - consult about further steps which could be taken;
  - inform them of appropriate routes if the matter does not fall within the Whistle Blowing Policy;
  - report all matters under this procedure to the Executive Team or Chair of the Board Trustees
- 5.2 At this meeting, the person raising the concern may be accompanied by a work colleague or trade union representative.
- 5.3 Within 10 working days of the above meeting, the Investigating Officer will recommend to the Chief Executive Officer (or Chair of Trustees where the concern relates to the Chief Executive Officer) one or more of the following:
- the matter should be investigated within our Trust's internal procedures
  - the matter should be investigated by the external auditors appointed by our Trust;
  - the matter should be reported to an external agency e.g. DfE, ESFA, exam board;
  - the matter should be reported to the Police
  - The matter should be reported to the Local Authority Designated Officer (LADO);
  - No further action is required
- NB: this list is not exhaustive*
- 5.4 The individual who raised the concern should be informed what action our Trust intends to take.
- 5.5 Where an investigation has taken place; the relevant employee will normally be informed of the final outcome, subject to any legal constraints.

#### **6. Escalating concerns beyond our Trust**

- 6.1 The Trust encourages employees to raise their concerns internally, in line with Section 4 of this policy, but recognises that individuals may feel the need to report concerns to an external body. A list of prescribed bodies whom staff members can raise concerns with is included [here](#).
- 6.2 The Protect advice line, linked to in Section 4 of this policy, can also help colleagues when deciding whether to raise the concern to an external party.