

Leading Learning Trust – Whistleblowing Policy

This policy applies to the Leading Learning Trust, to Selwyn Primary School and to Portway Primary School

Date reviewed:	April 2019
Reviewed by:	Leadership team
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Policy ratified by Trustees (as per Scheme of Delegation):	September 2019





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1. OVERVIEW OF THE POLICY MANAGEMENT PROCESS

1.1. Document history

Date	Document title	Version
Oct 2016	Initial draft of the policy released - as a Selwyn Primary School and a Portway Primary School Policy.	1.0
Oct 2018	Selwyn and Portway Policies approved for release as a trust-wide policy by the Trust Board in October 2018. Sections 2.1. and 2.3. - updated to include reference to our culture and practice of strong governance across the Leading Learning Trust.	2.0
March 2019	Update to Section 2.5.1 with additional clarification re who to go to re a concern regarding the Head teacher or CEO. Links with the Positive Staff Relationships Policy, which was approved by the CEO in April 2019 as part of our commitment to staff wellbeing at work.	2.1
April 2019	Flowchart	3.0

1.2. Review and approval

The Leading Learning Trust trustees have overall responsibility for the policy.

The Executive Head teacher is responsible for the operation of the policy within the schools, as well as for the maintenance of a record of concerns raised in accordance with this policy and the outcomes.

This policy is reviewed every 3 years by the School Leadership Team, and is then ratified by the Leading Learning Trust Board of trustees.



2. THE POLICY

2.1. Introduction

The Fair Funding Regulations require local authorities, from April 2002, to set out a procedure to be followed by all persons working at a school, including teachers, support workers, agency workers or school governors who wish to complain about financial management or financial probity at the school, and how such complaints should be dealt with. Across the Leading Learning Trust, both as a Trust and as Selwyn and Portway Primary School, we continue to abide by these Regulations, and has set out the attached policy in line with the requirements of the legislation.

The Leading Learning Trust is committed to the highest possible standards of openness, probity and accountability and aims to comply with the requirements of the Public Interest Disclosure Act, 1998. In addition, our 2018-2023 Strategic Roadmap identifies strong, transparent, fit for purpose governance as a key aim - at all levels across our trust.

2.2. Aims

This Whistleblowing Policy is intended to encourage and enable those covered by the policy to raise serious concerns at an early stage, in the right way and to do so without fear of recrimination, victimisation, discrimination or disadvantage.

2.3. Scope

The Act provides protection for workers who disclose information which might otherwise be regarded as confidential, **if the disclosure falls into one of the categories outlined below:**

- A criminal offence has been, is being or is about to be committed.
- The employer has failed, is failing, or is about to fail to comply with his legal obligations.
- A miscarriage of justice has happened, is happening, or is likely to happen.
- An individual's health and safety has been, is likely to be, or is being jeopardised.
- The environment is, has been, or is likely to be, damaged
- Information falling into any of the above categories has been, is being or is likely to be deliberately concealed.



By adopting this policy across our trust, we aim to reassure our staff that they can safely raise concerns about malpractice internally. This will enable us to investigate and deal with such concerns raised and continue to foster a responsible and accountable culture in the organisation.

Staff and members of the school local governing bodies are expected to notify the school of any reasonable and genuine concerns they have about an abuse of the school's (or indeed the trust's) stated standards, malpractice, theft, fraud, financial abuse, criminal offences, breach of legal obligations, dereliction of the school's health and safety responsibilities, damage to the environment, other unethical conduct or the cover up of any of these. A culture of openness is evident from the top: the openness of our governance extends to published information about board level decision making (available on our [Trust Documents page](#) of the Leading Learning Trust website); in addition, we have a programme in place whereby members of staff, on a rotational basis, are invited as guests to our Board and Local Governing Body meetings.

It is recognised that some cases raised under the Whistleblowing Policy will proceed on a confidential basis. Every effort will be made not to reveal the identity of the individual who raises a concern without their prior consent. Our Exit Interview Pro-forma includes a number of safeguarding questions, including whether the leaver has ever used the Whistleblowing Policy to raise a safeguarding concern.

The policy is not designed to replace the Grievance, Disciplinary or Early Help, Child Protection and Safeguarding policies and procedures. Concerns or allegations that fall within the scope of specific procedures will normally be referred for consideration under those procedures.

The policy is only about employees and local governors, and it is not a replacement for the school's Complaints Policy and other statutory reporting procedures that may apply. The Whistleblowing Policy is primarily to protect the interests of others or of the organisation.

It is accepted that there may be occasions when a concern turns out to be unfounded but was raised in good faith. The trust will not take action against the individual in these circumstances. If, an allegation was unfounded and it was clear that it had been raised frivolously, maliciously or for personal gain, then that individual may face disciplinary action.

The Leading Learning Trust, its schools, its board and its local governors are committed to treating claims of impropriety seriously irrespective of who the alleged perpetrators are. In all cases the trust/school will seek the most appropriate sanction against individuals that it considers guilty of malpractice. This includes dismissing employees, taking civil legal action and, in conjunction with the law enforcement agencies, instituting criminal proceedings.



The aim of the Whistleblowing Policy is to enable employees to raise their concerns in-house and to be assured that action will be taken quickly and effectively. It should not be necessary, in most cases, to take concerns outside the school and especially to the media. Staff have a duty of confidentiality towards the school. It is a serious matter to disclose confidential information.

2.5. How we handle concerns when they are raised

2.5.1. Step one – how to raise a concern

There are a number of agreed contacts for employees to raise concerns with under the Whistleblowing Policy. This enables the employee to choose the person to whom they wish to make the disclosure.

Employees who have a concern about any wrongdoing should normally raise their concerns with their line manager. If, however, you feel unable to raise the matter with your line manager, for good reason, you may raise the concern with your Head teacher or another senior member of school staff. If you feel unable to raise your concern with any member of the school management you may raise it with a member of the local governing body. The names of all school governors, and their positions, are published on our school websites.

Concerns may be raised orally or in writing. Make it clear if you want to raise the matter in confidence. The person with whom you raised the concern may have a preliminary meeting with you to discuss the most appropriate route. You may bring a friend/union representative to any meeting that is arranged in connection with the concern you have raised as long as the friend/union representative is not involved in the matter, and the friend agrees to maintain confidentiality.

If you are raising a concern about the Head teacher, you should contact the CEO of the Leading Learning Trust. If you are not able to do so, you should raise it with the Chair of the local governing body.

If you are raising a concern about the CEO, you should contact the Chair of the Leading Learning Trust trustees, or with the local LADO (Local Authority Designated Officer).

If you are raising concerns as a local school governor you should speak to the Chair of the local governing body. If you feel unable to raise the matter with them for good reason, *you should, in the first instance, make contact with the Chair of the Leading Learning Trust Trustees (details as published on the school websites), or with Governor Services at The Education Space.*



You are not expected to prove beyond doubt the truth of an allegation. However, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.

The Leading Learning Trust hopes that this policy gives you the reassurance you would need to raise concerns internally. However, it recognises that there may be circumstances where progressing through the internal route has failed and you can only properly report your concern to external bodies who have responsibilities to monitor the school's compliance to its own standards and legal obligations. In most cases the most appropriate body would be the school's external auditors, details of whom can be obtained from the school office. Alternatively, you can contact the auditors directly using the following details:

Wilkins Kennedy
Greytown House
221-227 High Street
Orpington, Kent
BR6 0NZ
Tel: 01689 827505

Contact details are also available at this web address:

<http://www.wilkinskennedy.com/offices/accountants-orpington/>

2.5.2. Step two – what happens once a concern has been raised?

This appointed person, while maintaining the confidentiality of the complainant, will ensure that any individual who is the subject of the allegation is given details of the allegations in order to respond.

Once you have raised your concern, the person receiving the whistleblowing allegation will be responsible for ensuring that it is investigated properly. The nature of the investigation will depend upon the concern raised.

The person receiving your whistleblowing concern is responsible for ensuring you receive feedback on progress, subject to any issues of confidentiality that may be necessary to guarantee a successful conclusion. It may not be possible to inform you of the precise action undertaken where this would infringe a duty of confidence owed by the school to another party.

2.6. Safeguards

The trust and the school recognises that the decision to report a concern can be a difficult one to make. The trust and the school will take appropriate action to safeguard you from recrimination or victimisation as a result of raising a genuine concern.



All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. However, in some circumstances you may be needed to come forward as witness.

You are encouraged to put your name to your concern wherever possible. Concerns expressed where the complainant wishes to remain anonymous are much less powerful but the school will consider anonymous concerns on a case by case basis.

2.7. Independent advice and helpline

If you are unsure whether to use the school's Whistleblowing Policy, or you want independent advice at any stage, you may contact the independent charity called Public Concern at Work (www.pcaw.org.uk). This organisation seeks to ensure that concerns about serious malpractice are properly raised and addressed in the workplace. The staff will give you free expert and confidential advice about how to raise a concern about serious malpractice at work using a Whistleblowing Policy. The contact number is 020 7404 6609. Trade unions encourage their members to contact them for advice before they take action in accordance with the policy.

You can also [contact the Nspcc](http://www.nspcc.org.uk) (the National Society for the Prevention of Cruelty to Children) advice line on 0800 028 0285, or email them on help@nspcc.org.uk.

The act of seeking confidential advice under is solely a matter between the parties concerned and could not in itself be grounds for disciplinary action.



2.8. Appendix 1 - Flowchart for raising a concern through the Whistleblowing Policy

