

# Whistleblowing Policy

**Learning together for success and progression**

*Approved by Academy Trust Board: 10<sup>th</sup> July 2023*

# Whistleblowing Policy

Trustee Committee Responsible:	Audit Committee
Nominated Lead Member of Staff:	Principal
Status and Review Cycle:	Three Years
Current Review:	July 2023
Next Review Date:	June 2026

## Introduction

Employees and others directly involved in College activities are often the first to realise that there may be something seriously wrong within the College or may have such a matter brought to their attention by a member of the public. However, they may not express their concerns because they feel that speaking out would be disloyal to their colleagues or to the College. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The College is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees, Trustees and others involved with College activities, who have serious concerns about any aspect of the College's work, to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.

This Policy is designed to help ensure that the College and its employees operate according to the highest possible standards in terms of professional and personal conduct and to ensure that misconduct or unacceptable behaviour should not go unreported through apathy or a fear of reprisal.

The Policy applies to all employees, Trustees and others on the College site, including those contractors working for the College on College premises, for example, agency staff and builders. It also covers suppliers and those providing services under a contract with the College in their own premises. If a student wishes to raise a concern or complaint, the Complaints Procedure should be followed instead.

## Key Aims and Scope of the Policy

- Employees at the College are encouraged to come forward to raise within the College, serious concerns they may have about wrongdoing in the College, whether suspected criminal or illegal activity, professional misconduct, or dangerous behaviour
- Provide a structure through which individuals can raise concerns and receive feedback on action taken
- So long as these concerns are raised in good faith then the allegations or suspicions brought forward by an employee 'blowing the whistle' on a colleague or colleagues will be treated with due seriousness, in confidence, and on a systematic basis
- This Policy does not set out the procedure that applies to grievances relating to employment matters. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures
- Concerns should be raised where actions fall below generally well-established standards to which the College subscribes. These may include:
  - Conduct which is an offence and/or a breach of law
  - Abuse of students, or unethical conduct
  - Disclosures relating to miscarriages of justice
  - Health and safety risks, including risks to the public as well as employees and students
  - Damage to the environment
  - The unauthorised use of public funds and/or possible fraud and corruption
  - Possible contravention of the College's Articles of Association
- The Principal has overall responsibility for the maintenance and operation of this Policy and proper records will be kept

## Safeguards

- The College is committed to good practice and high standards and is supportive of employees, Trustees and all others associated with it within the confines of College policies
- The College recognises the decision to report a concern can be difficult. Staff should feel confident that they have nothing to fear and that, in reporting a concern, they are performing a service on behalf of the College
- Employees raising concerns will not be victimised or discriminated against and are protected by the Public Interest Disclosure Act 1998
- The College will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate actions to prevent recriminations when a concern is raised in good faith
- Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that may already be operational

## Confidentiality

All concerns will be treated in confidence and every effort will be made not to reveal the identity of those raising concerns.

## Anonymous Allegations

This Policy discourages anonymous allegations wherever possible.

Concerns expressed anonymously are much less powerful and will be considered at the discretion of the College.

In exercising this discretion the following factors would be taken into account:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegation from attributable sources

## Untrue Allegations

If the allegation is made in good faith, but it is not confirmed by the investigation, no action will be taken. If, however, an allegation is made frivolously, maliciously or for personal gain, disciplinary action may be taken.

## How to Raise a Concern

- You should raise your concerns with any member of [SLT](#), or with the Chair of the Board of Trustees if your concern relates to the Principal. Your concern will be treated in confidence
- You may raise your concern verbally or in writing and the earlier you raise the matter the easier it will be to take action
- You are encouraged to put your name to an allegation but you can, if you choose, raise the issue on an anonymous basis, although this might make your claim less effective
- A work colleague or Trade Union representative can be present at a meeting where you raise the matter verbally or at any meeting called in relation to an investigation of the matter
- If you are not satisfied that your concerns are being treated seriously, you may raise the matter with the Chair of the Board of Trustees

## How the College will Respond

- The College will respond by holding an investigation into the allegation and/or taking any immediate action which may be necessary in relation to the issue
- Within ten working days of a concern being raised to a member of SLT, normally the Principal, will write to you informing you of the outcome of the investigation, subject to legal constraints, and an account of the actions which are being taken to deal with the matter, as appropriate
- The College will take steps to minimise any difficulties which you may experience as a result of raising a concern
- The general aim of the College in response to a whistleblowing allegation will be to ensure that misconduct or unacceptable behaviour, if proven, is brought swiftly to an end and appropriate disciplinary action taken against the perpetrator

## How can the matter be taken further?

The Policy is intended to provide a set of procedures within College to raise concerns. If the individual is not satisfied with action taken, they may raise it, in confidence with the Chair of the Board of Trustees or the Principal as appropriate.

If this is still not satisfactory, it may be appropriate to take the matter outside the College. The possible routes are:

- The College's External or Internal Auditors (details can be gained from contacting the Finance Department)
- A Trade Union Representative
- Relevant Professional bodies or regulatory organisations
- The charity [Protect](https://protect-advice.org.uk/contact-protect-advice-line/) speak up, stop harm: <https://protect-advice.org.uk/contact-protect-advice-line/>
- The Police
- The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters directly with their employer. Referrals can be made at: [www.education.gov.uk/contactus](http://www.education.gov.uk/contactus)
- The Advisory, Conciliation and Arbitration Service (ACAS) [www.acas.org.uk](http://www.acas.org.uk)

### Related Documents:

- College Complaints Policy and Procedure
- Child Protection and Safeguarding Policy
- Disciplinary, Capability and Grievance Procedures
- Staff Code of Conduct
- Safer Recruitment Policy
- Data Protection Policy