



# THAMES LEARNING TRUST

Name of Policy	Whistleblowing Policy
Scope of Policy	This policy applies to all Academies within The Thames Learning Trust
Approved by	Chief Executive Officer
Date of Approval	May 2022
Review period	Two Years
Review Date	May 2024

GROWING STRONGER TOGETHER



# THAMES LEARNING TRUST

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## **1.0 Purpose**

- 1.1. Employees could be the first to realise that there may be something seriously wrong within The Thames Learning Trust.
- 1.2. This policy document makes it clear that employees can voice concerns without fear of victimisation or disadvantage. The Whistleblowing Policy is intended to encourage and enable employees to raise serious concerns within the Trust rather than overlooking a problem or 'blowing the whistle' outside.
- 1.3. The Board of Trustees have approved the Whistleblowing Policy.

## **2.0 Applicability**

- 2.1. This policy applies to:
  - 2.1.1. All employees and those contractors working for the Trust on Trust premises, for example agency staff, supply teachers and builders.
  - 2.1.2. Board of Trustees.

## **3.0 Roles & Responsibilities**

- 3.1 The Board of Trustees ensure that a Whistleblowing Policy is in place and that it is monitored and reviewed regularly. The Chief Executive Officer has responsibility for managing the policy in accordance with this agreed procedure.
- 3.2 The School Principal in each school, along with line managers, is responsible for making employees aware of the existence of these procedures.
- 3.3. Employees, contractors and governors are responsible for making themselves familiar with the Whistleblowing Policy and complying with the policy.

## **4 Policy**

- 4.1. This policy aims to:
  - encourage employees to feel confident about raising serious concerns and to question and act upon concerns about malpractice.
  - 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 employees are aware of how to pursue the concerns if not satisfied.
  - reassure employees that they will be protected from possible reprisals or victimisation if they have a reasonable belief in the disclosures made.
- 4.2. There are existing procedures in place to enable an employee to lodge a grievance relating to his/her own employment. The Whistleblowing Policy is intended to cover major concerns that fall outside the scope of other procedures. Disclosures covered in this policy include concerns about suspected:

- 4.2.1. criminal activity;
- 4.2.2. miscarriages of justice;
- 4.2.3. breach of any legal obligation;
- 4.2.4. danger to the health and safety of any individual;
- 4.2.5. damage to the environment; or
- 4.2.6. the deliberate concealment of any of the above matters.

## **5.0. Safeguards against harassment or victimization**

- 5.1 The Thames Learning Trust is committed to good practice and high standards and is supportive of employees.
- 5.2 The Thames Learning Trust recognises that the decision to report a concern can be a difficult one to make. If what the employee is saying is true, or he/she has a reasonable belief that it is true, the employee will have nothing to fear because he/she will be doing his/her duty to the Trust and pupils of the Trust.
- 5.3 The Thames Learning Trust will not tolerate any harassment or victimisation (including informal pressure) against whistleblowers and will take appropriate action to protect employees when genuine concerns are raised.

## **6.0. Confidentiality**

- 6.1. All concerns will be treated in confidence and every effort will be made not to reveal the identity of an employee who raises allegations under this policy, if the employee does not want their identity to be revealed. However, if the matter disclosed is very serious and an appropriate investigation cannot be carried out properly without revealing the name of the whistleblower, their identity may have to be revealed to allow a proper investigation. If this is the case, this requirement will be discussed with the whistleblower before their identity is revealed to anyone as part of the investigation

## **7.0. Anonymous allegations**

- 7.1. This policy encourages employees to put their name to allegations wherever possible. This is because concerns expressed anonymously are much more difficult to investigate.
- 7.2. Therefore anonymous allegations will be considered at the discretion of the School Principal.
- 7.3. In exercising this discretion the factors to be taken into account would include:
  - the seriousness of the issue raised
  - the credibility of the concern
  - the likelihood of confirming the allegation from attributable sources.

## **8.0 Untrue allegations**

- 8.1. If an employee makes an allegation based on a reasonable belief, but it is not confirmed by the investigation, no action will be taken against the employee.
- 8.2. If, however, the employee makes an allegation frivolously or maliciously or without genuinely believing it to be true, disciplinary action may be taken against the employee.

## **9.0 How to raise a concern**

- 9.1 In most circumstances the employee should raise concerns with their immediate manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of malpractice.
- 9.2 If the employee's manager is involved in the concern raised then the employee should approach the HR Manager in the first instance.
- 9.3 If the employee believes that senior management is involved, the employee should approach the HR Manager, Chief Executive Officer, School Principal or Board of Trustees.
- 9.4 Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:
- the background and history of the concern (giving relevant names and dates)
  - the reason why the employee is concerned about the situation.
- 9.5 The employee should demonstrate to the person contacted that there are reasonable grounds for the concern.

## **10. How the Trust will respond**

- 10.1. The Thames Learning Trust will investigate the employee's concerns.
- 10.2. Where appropriate, the matters raised may:
- be investigated by management and potentially lead to disciplinary action if malpractice is found to have occurred
  - be referred to the police
  - be referred to the Education Funding Agency (EFA)
  - form the subject of an independent inquiry.
- 10.3. In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns over allegations which fall within the scope of a specific procedure (for example, safeguarding or discrimination issues) will normally be referred for consideration under the procedures for dealing with these issues
- 10.4. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted. The responsibility for carrying out such urgent action will vary depending on the circumstances.
- 10.5. Within ten working days of a concern being raised, a nominated manager will write to the individual:
- acknowledging that the concern has been raised
  - indicating how it is proposed to deal with the matter
  - giving an estimate of how long it will take to provide a final response
  - telling the employee whether any initial enquiries have been made
  - supplying the employee with information on staff support mechanisms (if appropriate).

- telling the employee whether further investigations will take place and if not, why not.
- 10.6. The amount of contact between the individual considering the issue and the employee who raised the issue will depend on the nature of the matters raised; the potential difficulties involved; and the clarity of the information provided. If necessary, the Trust will seek further information from the employee.
- 10.7. Where any meeting is arranged, off-site if requested, the employee can be accompanied by a trade union representative or a work colleague.
- 10.8. The Trust will take steps to minimise any difficulties the employee may experience as a result of raising a concern. For instance, if the employee is required to give evidence in criminal or disciplinary proceedings the Trust will arrange for the employee to receive additional advice.
- 10.9. The Trust accepts that the employee will need to be assured that the matter has been properly addressed. Thus, the Trust will inform the employee of the steps that have been taken to resolve the matter as appropriate, although the employee will not be entitled to information about disciplinary proceedings which may have been taken against other individuals.

#### **11.0. How the matter can be taken further**

- 11.1. This policy is intended to provide employees with an avenue within the Trust to raise concerns and gain a satisfactory resolution. The Trust will make every effort to ensure that the individual is satisfied with any action taken. If this is not the case, or where the concerns cannot be raised with the Chief Executive Officer or Chair of Governors because the allegations relate to them the employee can raise their concerns directly with the HR Manager. .
- 11.2. The aim of the Trust is to ensure that the complainant will be satisfied with any action taken by the Trust or HR Manager. However if the complainant wishes to take the matter outside the Trust, the following are possible contact points:
- *Slough Borough Council* 01753 475111  
(*Children's Services*)
  - *Public Concern at Work* 0171 404 6609
  - *Reading Council* 0118 937 3787
  - *Education Funding Agency* 0370 000 2288
  - *A relevant Trade Union*
  - *Citizens Advice Bureau* 0845 1203712
  - *Relevant Professional Bodies*
  - *Regulatory Organisations*
  - *Thames Valley Police* 0845 8 505 505
  - *DfE* 0370 000 2288
  - *External Auditors* 020 8359 9988

(*Landau Baker*)

- 11.3 If the complainant chooses to take the matter outside the Trust the employee should ensure that he/she does not disclose confidential information, which it is not necessary to disclose for the purposes of the protected disclosure.
- 11.4 The complainant should not talk directly to the media unless this has been agreed in advance with the Chief Executive Officer or Board of Trustees.