

Whistleblowing Policy

All Salford Academy Trust Staff



1. Introduction

1.1 Salford Academy Trust are committed to the highest possible standards of honesty and integrity, and we expect all staff to maintain these standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur. This policy is written in conjunction with ACAS and Public Interest Disclosure 1998.

The aims of this policy are:

- To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
- To provide staff with guidance on how to raise concerns.
- To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.

1.2 This procedure does not form part of any employee's contract of employment and it may be amended at any time following consultation. Whilst the Trust will endeavour to apply this procedure as it is written it may, in exceptional circumstances, vary application of this procedure including any time scales for action, as appropriate.

2. Scope and Purpose of Policy

2.1 This policy applies to all employees of the Salford Academy Trust, governors, consultants, contractors, casual and agency staff and volunteers (collectively referred to as staff in this policy).

2.2 This policy enables employees to report illegal activities, wrongdoing or malpractice. However, where employees are directly affected by the matter in question, or where employees feel they have been victimised for an act of whistleblowing, they may raise the matter under the grievance procedure.

2.3 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. The law provides protection for workers who raise legitimate concerns about specified matters or "qualifying disclosures". A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that one or more of the following matters is either happening, has taken place, or is likely to happen in the future.

- criminal activity;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- failure to comply with any legal or professional obligation or regulatory requirements;
- bribery;
- financial fraud or mismanagement;
- negligence;
- breach of our internal policies and procedures [including our Code of Conduct];

- conduct likely to damage our reputation
- unauthorised disclosure of confidential information;
- other unethical behaviour
- the deliberate concealment of any of the above matters.

This policy aims to:

- provide avenues for staff to raise concerns;
- allow staff to take the matter further if they are dissatisfied with the response;
- reassure staff that they will be protected from reprisals or victimisation for whistleblowing in good faith;
- reassure staff that instances of wrongdoings or dangers will not be tolerated but will be fully investigated and appropriate action will be taken against all those concerned;
- give guidance to anyone who wishes to raise concerns and offers them anonymity if they so wish.

2.4 A whistle-blower is a person who raises a genuine concern relating to any of the above. If an employee has any genuine concerns related to suspected wrongdoing or danger affecting any Salford Academy Trust activities (a whistleblowing concern) employees should report it under this policy.

2.5 Salford Academy Trust recognises that the decision to report a concern can be a difficult one to make. However, by reporting concerns, employees are doing their duty to their employer and those employed at the Trust.

2.6 This policy should not be used for complaints relating to employees own personal circumstances, such as the way they have been treated at work. In those cases, employees should use the Grievance Procedure or Anti-harassment and Bullying Policy as appropriate.

2.7 If you are uncertain whether something is within the scope of this policy you should seek advice from a member of the Salford Academy Trust team. If it concerns a member of the Salford Academy Trust team, advice should be sought from the Chair of Salford Academy Trust.

3. Raising a Whistleblowing Concern

3.1 Salford Academy Trust will ensure that employees can raise any concerns with their line manager. Employees may tell them in person or put the matter in writing if they prefer. Line managers may be able to agree a way of resolving their concern quickly and effectively.

3.2 However, where the matter is more serious, or the employee feels that their line manager has not addressed their concern, or the employee prefers not to raise it with them for any reason, or they are the subject of the complaint, then the employee can raise the matter with:

- The Principal of the employee's Academy
- The Chief Finance Officer at Salford Academy Trust
- The CEO of Salford Academy Trust

Contact details are set out at the end of this policy.

3.3 After the initial concern has been raised, the employer will arrange a meeting with the employee as soon as possible to discuss their concern. The employee may bring a colleague or union representative to any meetings under this policy. Their companion must respect the confidentiality of the employee's disclosure, the content of the meeting and any subsequent investigation.

3.4 The employer will take down a written summary of the employee's concern and provide them with a copy after the meeting. The employee will be asked to sign and return this as a true record of the conversation. The organisation will also aim to give the employee an indication of how the employer proposes to deal with the matter.

3.5 In order for a disclosure to qualify under PIDA, an employee will have to show the following in order to claim PIDA protection:

1. that he or she made a disclosure
2. that they followed the correct disclosure procedure
3. that they were dismissed or suffered a detriment as a result of making the disclosure.

4. Confidentiality

4.1 The Trust hopes that staff will feel able to voice whistleblowing concerns openly under this policy. However, if staff want to raise their concerns confidentially, the Trust will make every effort to keep their identity secret although circumstance or context of the concern may mean that the employee's identity may need to be disclosed to relevant people e.g. the investigator. If it is necessary for anyone investigating a concern to know the identity of the employee, a Trust officer will discuss this with the employee at the time this becomes necessary.

4.2 The Trust does not encourage staff to make disclosures anonymously. A proper investigation may be more difficult or impossible if the Trust cannot obtain further information from the employee. It is also more difficult to establish whether any allegations are credible. Whistle-blowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the other contact points listed at the end of this policy and appropriate measures can then be taken to preserve confidentiality. If the employee is in any doubt they can seek advice from Public Concern at Work, the independent whistleblowing charity, which offers a confidential helpline. Their contact details are given at the end of this policy.

4.3 Where the Trust receives anonymous complaints they will make a determination about whether to investigate based on:

- the seriousness of the issue raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from other sources

The Trust will keep a central record of disclosures made under the Whistleblowing policy.

The Trust will comply with data protection/GDPR requirements in terms of any records made and kept.

5. External Disclosures

5.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases staff should not find it necessary to alert anyone externally.

5.2 The law recognises that in some circumstances it may be appropriate for employees to report concerns to an external body such as a regulator or the police. It will very rarely, if ever, be appropriate to alert the media. The Trust strongly encourages employees to seek advice before reporting a concern to anyone external. Public Concern at Work holds a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

5.3 Whistleblowing concerns usually relate to the conduct of staff, but they may sometimes relate to the actions of a third party, such as a contractor, supplier or service provider. The law allows employees to raise a concern with a third party, where they reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, we encourage employees to report such concerns internally first. Employees should contact their line manager, Principal or one of the other individuals set out at the end of this policy.

6. Investigation and Outcome

6.1 Once the employee has raised a concern, the employer will carry out an initial assessment to determine the scope of any investigation. We will inform the employee of the outcome of the assessment. The employee may be required to attend additional meetings in order to provide further information.

6.2 In some cases, the Trust may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) will collate findings on the matter and may make recommendations for change to enable the Trust to minimise the risk of future wrongdoing. This will be sent to the CEO of Salford Academy Trust for actioning. If it concerns the CEO, the Chair of Salford Academy Trust will action accordingly.

6.3 The employer will aim to keep the employee informed of the progress of the investigation, its likely timescale and outcome. However, sometimes the need for confidentiality may prevent the employee from giving specific details of the investigation or any disciplinary action taken as a result. Employees should treat any information about the investigation as confidential.

6.4 If the Trust concludes that a whistle-blower has made false allegations maliciously, or with a view to personal gain, the whistle-blower may be subject to disciplinary action.

7. If the Whistle-blower is not satisfied

7.1 Whilst Salford Academy Trust cannot always guarantee the outcome an employee is seeking, the employer will try to deal with the employee's concern fairly and in an appropriate way. By using this policy, the employee can help the Trust to achieve this.

7.2 If an employee is not happy with the way in which their concern has been handled, they can raise it with one of the other key contacts noted at the end of this policy.

8. Protection and Support for Whistle-blowers

8.1 It is understandable that whistle-blowers are sometimes worried about possible repercussions. Salford Academy Trust aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

8.2 Staff must not suffer any detrimental treatment as a result of raising a genuine concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an employee believes that they have suffered any such treatment, they should inform one of the contact people in the contact list at the end of this policy immediately. If the matter is not remedied the employee should raise it formally using the Grievance Procedure.

8.3 Staff must not threaten or retaliate against whistle-blowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

9. Policy Review

This policy is reviewed every two years (unless there is a change in employment law of practice) by Salford Academy Trust in consultation with the recognised trade unions. Salford Academy Trust will monitor the application and outcomes of this policy to ensure it is working effectively.

Contacts

CEO of Salford Academy Trust	Alison Cookson Salford Academy Trust alison.cookson@salford.gov.uk 0161 631 5574
Chief Finance Officer	Gilda Kaseke Salford Academy Trust gilda.kasekee@salfordcc.ac.uk 0161 631 5891
Chair of the Board	Michael Sheehan Salford City College Michael.Sheehan@salfordcc.ac.uk
Public Concern at Work (Independent whistleblowing charity)	Helpline: (020) 7404 6609 E-mail whistle@pcaw.co.uk Website: www.pcaw.co.uk