



Whistleblowing Policy

Date last reviewed: October 2023

Date of next review: October 2024

Reviewed by: Trust Board

Approved by: Trust Board

1. Policy Statement

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Let all staff in the Trust know how to raise concerns about potential wrongdoing in or by the Trust
- Set clear procedures for how the Trust will respond to such concerns
- Let all staff know the protection available to them if they raise a whistle-blowing concern
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the Trust in any capacity, including self-employed consultants or contractors who provide services on a personal basis and agency workers.

2. Legislation and Guidance

The requirement to have clear whistle-blowing procedures is set out in the [Academy Trust Handbook](#).

This policy has been written in line with the above document, as well as [government guidance on whistle-blowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest".

Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupil's or staff health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the trust, or individual schools in the trust, count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

When staff have a concern they should consider whether it would be better to follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work) has:

- Further guidance on the difference between whistle-blowing concerns and a grievance that staff may find useful if unsure
- A free and confidential advice line

3. Principles

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Workers should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation is reported back to the worker who raised the issue.
- No worker will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because he/she has raised a legitimate concern.
- Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure, the academies disciplinary procedure will be used, in addition to any appropriate external measure.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, workers should not agree to remain silent. They should report the matter to a director.

4. Procedure

Staff should consider the examples in section 2 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or Trust procedures, put people in danger or was an attempt to cover any such activity up.

For the purposes of this procedure:

- The Principal is the Principal or Executive Principal of the individual Academy where the worker is primarily based
- The Chief Executive Officer is **Steven Baragwanath**
- The named Whistleblowing Trustee is **Professor Duncan French**

School-based staff should report their concern to the Principal. If the concern is about the Principal, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the named Whistleblowing Trustee.

Central staff should report their concern to the Chief Executive Officer. If the concern is about the Chief Executive Officer, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the named Whistleblowing Trustee.

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 raising a concern should also include details of any personal interest in the matter.

Stage One

In the first instance, and unless the worker reasonably believes the Principal or Chief Executive Officer is to be involved in the wrongdoing, or if for any other reason the worker does not wish to approach the Principal or Chief Executive Officer, any concerns should be raised with either the Principal or Chief Executive Officer.

If he/she believes the Principal or Chief Executive Officer to be involved, or for any reason does not wish to approach the Principal or Chief Executive Officer, then the worker should proceed straight to stage three.

Stage Two

The Principal or Chief Executive Officer (whichever was reported to in stage one) will arrange an investigation into the matter. The investigation may involve the worker and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. The worker's statement will be taken into account and he/she will be asked to comment on any additional evidence obtained.

If the Principal has arranged the investigation, they (or the person who carried out the investigation) will then report to the Chief Executive Officer who will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency.

If disciplinary action is required, the Principal or Chief Executive Officer (or the person who carried out the investigation) will start the disciplinary procedure.

On conclusion of any investigation, the worker will be told the outcome of the investigation. If no action is to be taken, the reason for this will be explained.

Stage Three

If the worker is concerned that the Principal or Chief Executive Officer is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the appropriate level within the organisation, he/she should inform the named Whistleblowing Trustee, who will arrange for a review of the investigation carried out, make any necessary enquiries and make his/her own report as in stage two above.

If for any other reason the worker does not wish to approach the Principal or Chief Executive Officer, or believes the Principal or Chief Executive Officer to be involved, he/she should also in the first instance contact the named Whistleblowing Trustee.

Any approach to them will be treated with the strictest confidence and the worker's identity will not be disclosed without his/her prior consent. Outcomes of stage three proceedings must be reported to the Chair of University of Lincoln Academy Trust.

Stage Four

If on conclusion of the first three stages the worker reasonably believes that the appropriate action has not been taken, he/she should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs;
- The Financial Conduct Authority (formerly the Financial Services Authority);
- The Competition and Markets Authority;
- The Health and Safety Executive;
- The Environment Agency;
- The Independent Police Complaints Commission; and
- The Serious Fraud Office

5. Malicious or Vexatious Allegations

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the Trust will consider whether any disciplinary action is appropriate against the person making the allegation.

6. Escalating Concerns Beyond the Trust

The Trust encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included [here](#).

The Protect advice line, linked to in section 2 of this policy, can also help staff when deciding whether to raise the concern to an external party.

7. Contact Details

The contact details for those named in the procedures section can be acquired from the internal systems within each Academy.

8. Monitoring Arrangements

This policy will be reviewed annually by the Trust Board. At every review it will be approved by the full Trust Board.