

# **WHISTLEBLOWING**

## **POLICY**



<b>Summary</b>	Whistleblowing Policy
<b>Responsible Person(s)/Author(s):</b>	Head of Governance and Compliance Director of HR
<b>Applies to:</b> (please circle/delete as appropriate)	<b>Staff</b> <input checked="" type="checkbox"/> <b>Student</b> <input type="checkbox"/> <b>Community</b> <input type="checkbox"/>
<b>Ratifying Committee(s) and Date of Final Approval:</b>	Trust Board
<b>Available On:</b>	SharePoint, Staff Drives, On Demand, Website
<b>Effective from:</b>	16 May 2023
<b>Date of Next Formal Review:</b>	April 2025
<b>Review Period</b>	2 years
<b>Status</b>	Statutory
<b>Owner</b>	The Rodillian Multi Academy Trust
<b>Version:</b>	3

### Document Control

Date	Version	Action	Amendments
11.2019	1	Policy created	
04.2021	2	Policy reviewed	Identity of Whistleblowing contacts and external contacts updated.
05.2023	3	Policy reviewed	Document Control, Publication of Policy,

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## **Introduction**

1. The Rodillian Multi Academy Trust (“the Trust”) is committed to conducting its business with honesty and integrity and it expects all staff to maintain the highest professional standards. Yet, all organisations face the risk of things going wrong from time to time, illegal or unethical conduct. A culture of openness and accountability is essential to prevent such situations occurring or to address them when they do occur.
2. This Policy does not form part of any employee’s contract of employment, and it may be amended.

## **Scope and Purpose of this Policy and who it applies to**

3. This Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures such as the Grievance Procedure although the Trust reserves the right to determine which procedure is appropriate.
4. This policy applies to all individuals involved in the Trust, including all Members, Trustees, Local Review Board Members, Employees, Consultants, Trainees, Casual and Agency staff and Volunteers (collectively referred to as staff in this policy.)

## **Publication of this Policy**

5. This policy will be brought to the attention of all Trustees, Local Review Boards, and the Principal of each Academy. The policy will be available on the Trust and Academy websites and be available to all members of the public and staff. Following any further review of the policy resulting in an updated version being adopted by the Trust, Staff and stakeholders will be advised by email where they may access it and advised whether they are required to provide confirmation that they have read the document.
6. Guidance on any aspect of this policy can be obtained from the HR Director [dkriens@rodillianacademy.co.uk](mailto:dkriens@rodillianacademy.co.uk) or the Trust's whistleblowing lead [amarham@rodillianacademy.co.uk](mailto:amarham@rodillianacademy.co.uk).

## **Responsibility for this policy**

7. The Trust has overall responsibility for this policy and for reviewing the effectiveness of actions taken in response to concerns raised under this policy.
8. The Trust will ensure that all Principals, managers, and other staff who may deal with concerns or investigations under this policy receive regular and appropriate guidance.
9. All staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.

## Aims of this Policy

10. 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.
11. To provide staff with guidance as to how to raise those concerns.
12. To reassure staff that they should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

## What is whistleblowing?

13. Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:
  - 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.
  - Conduct likely to damage our reputation.
  - Unauthorised disclosure of confidential information.
  - Concerns about the harm or risk of harm to children and
  - The deliberate concealment of any of the above matters.
14. A whistle-blower is a person who raises a genuine concern relating to any of the above. If a member of staff has any genuine concerns related to suspected wrongdoing or danger affecting any Trust activities (a whistleblowing concern), they should report it under this policy.
15. This policy should not be used for complaints relating to a member of staff's own personal circumstances, such as the way they have been treated at work. In those cases, staff should follow the Trust's Grievance Policy or Anti-harassment and Bullying Policy as appropriate.
16. If a member of staff is uncertain whether something is within the scope of this policy, they should seek advice from the Whistleblowing Lead at the Trust, whose contact details are provided in Table 1 of this policy.

## Raising a whistleblowing concern

17. The Trust hopes that in many cases staff will be able to raise any concerns with their line manager or Academy Principal (or the Chief Executive where concern involves an Academy Principal). Staff may tell them in person or put the matter in writing if preferred. They may be able to agree a way of resolving the concern quickly and effectively.

18. Where the matter is more serious, or a member of staff feels that their line manager and the Academy Principal has not addressed the concern, or the individual prefers not to raise it with them for any reason they should contact either the Whistleblowing Lead at the Trust or the Whistleblowing Trustee. The Human Resources Director can also give advice and guidance on how matters of concern can be raised. Contact details are set out in Table 1 of this policy.

### **Confidentiality**

19. The Trust hopes that staff will feel able to voice whistleblowing concerns openly under this policy. But, if staff want to raise a concern confidentially, every effort will be made to keep their identity secret. If it is necessary for anyone investigating the concern to know the member of staff's identity, this will be discussed with the individual.
20. The Trust does not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if further information cannot be gained from the member of staff raising the concern. It is also more difficult to establish whether any allegations are credible. Providing feedback to the Whistle-blower will also not be possible which will leave them without confirmation that their allegations have been investigated and may leave them with uncertainty as to whether action has been taken. It should be noted that investigations are not always able to be undertaken with open knowledge. Whistle-blowers' who are concerned about possible reprisals if their identity is revealed should come forward to the Whistleblowing Lead and appropriate measures can then be taken to preserve confidentiality. If in any doubt, a member of staff can seek advice from the independent whistleblowing charity; **Protect** who offer a confidential helpline. Their contact details are provided in Table 1 of this policy.

### **External disclosures**

21. 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.
22. The law recognises that in some circumstances it may be appropriate for an individual to report their concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. The Trust strongly encourages staff to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Protect, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. In respect of Safeguarding concerns, you may wish to contact the Local Authority for the area in which the Academy is situated. In respect of Benefit Fraud, you may wish to contact the Benefit fraud helpline. You may think it appropriate to contact a professional body or regulatory organisation, a Trade Union, the Health and Safety Executive, the Information Commissioner, Local Councillors, the Citizens Advice Bureaus, the Police, Your Solicitor, Your Member of Parliament, appropriate Local Authority Designated Officer, appropriate Safeguarding Children Board, Ofsted, the Department for Education, the Education and Skills Funding Agency or Her Majesty's Revenue and Customs. All the parties mentioned have their contact details are provided in Table 1 of this policy.
23. Whistleblowing concerns usually relate to the conduct of staff, but they may sometimes relate to the actions of a third party, such as a supplier or service provider. In some circumstances- the law

will protect an individual if they raise the matter with the third party directly. The Trust encourages staff to report such concerns internally first. Staff should contact their line manager or one of the other individuals set out in the ‘Raising a whistleblowing concern’ section for guidance.

24. If a member of staff feels they must take the matter outside of the Trust, they should ensure that they do not disclose confidential information or that disclosure is privileged.

#### **Investigation and outcome**

25. Once a concern has been raised, the Trust Whistleblowing Lead will arrange a meeting with the member of staff as soon as possible to discuss the concern. The member of staff may bring a colleague or trade union representative to any meetings under this policy. The companion must respect the confidentiality of the disclosure and any subsequent investigation.
26. A written summary of the concern will be taken, and a copy provided to the member of staff after the meeting.
27. The Trust will carry out an initial assessment to determine the scope of any investigation. The member of staff who raised the concern will be informed of the outcome of the assessment and may be required to attend additional meetings to provide further information. The Trust will also aim to provide an indication of how it proposes to deal with the matter.
28. In some cases, an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter be appointed. The investigator(s) may make recommendations for change to minimise the risk of future wrongdoing.
29. The Trust will aim to keep the member of staff who raised the concern informed of the investigation and its likely timescale. Staff should however note that the need for confidentiality may prevent sharing of specific details of the investigation or any disciplinary action taken as a result. Any information about the investigation should be treated as confidential.
30. If it is concluded that a whistle blower has made false allegations, maliciously or with a view to personal gain, the whistle blower will be subject to disciplinary action.

#### **Taking the matter further**

31. While the Trust cannot always guarantee the outcome the member of staff seeks, the Trust will try to deal with concerns fairly and in an appropriate way.
32. If a member of staff is not happy with the way in which their concern has been handled, they can raise it with the Chief Executive of the Trust or the Board of Trustees.

#### **Protection and support for whistle blowers**

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

34. Staff must not suffer any detrimental treatment because of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats, or other unfavourable treatment connected with raising a concern. If a member of staff believes that they have suffered any such treatment, they should inform the Whistleblowing Lead immediately. If the matter is not remedied, they should raise it formally using the Trust's Grievance Policy.
35. Staff must not threaten or retaliate against whistle blowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

## Contacts

36. Key contacts are provided below.

**Table 1- Whistleblowing Contacts**

Whistleblowing Lead	<b>Adam Marham</b> Tel: 0781 0894537 E-mail: <a href="mailto:amarham@rodillianacademy.co.uk">amarham@rodillianacademy.co.uk</a>
Whistleblowing Trustee	<b>Stewart Harper</b> E-mail: <a href="mailto:sharper@rodillianacademytrust.co.uk">sharper@rodillianacademytrust.co.uk</a>
Human Resources Director	Denise Kriens Tel: 07903 842811 E-mail: <a href="mailto:dkriens@rodillianacademy.co.uk">dkriens@rodillianacademy.co.uk</a>
Protect (Formerly Public Concern at Work) – Independent whistleblowing charity	Helpline: 020 3117 2520 E-mail: <a href="mailto:whistle@protect-advice.org.uk">whistle@protect-advice.org.uk</a> Website: <a href="http://www.protect-advice.org.uk">www.protect-advice.org.uk</a>
Kirklees Safeguarding Children Partnership	Tel: 01484 456848 Out of Hours: 01484 414960 E-mail: <a href="mailto:KSCP.Admin@kirklees.gov.uk">KSCP.Admin@kirklees.gov.uk</a> Website: <a href="http://www.kirkleessafeguardingchildren.co.uk">www.kirkleessafeguardingchildren.co.uk</a>
Leeds City Council Children's Social Work Services	Tel: 0113 222 4403 Out of Hours: 0113 535 0600 Website: <a href="http://www.leeds.gov.uk/residents/health-and-social-care/keeping-children-safe/report-a-child-protection-concern">www.leeds.gov.uk/residents/health-and-social-care/keeping-children-safe/report-a-child-protection-concern</a>
North Yorkshire County Council Children's Social Care	Tel (Inc. Out of Hours): 01609 780780 Website: <a href="http://www.northyorks.gov.uk/child-protection">www.northyorks.gov.uk/child-protection</a>
Wakefield and District Safeguarding Children's Board	Tel: (Inc. Out of Hours): 0345 8 503 503 E-mail: <a href="mailto:social_care_direct_children@wakefield.gov.uk">social_care_direct_children@wakefield.gov.uk</a> Website: <a href="http://www.wakefield.gov.uk/schools-and-children/safeguarding/tackle-child-abuse/how-to-report-child-abuse">www.wakefield.gov.uk/schools-and-children/safeguarding/tackle-child-abuse/how-to-report-child-abuse</a>
Benefit Fraud	Tel: 0800 854 440 Website: <a href="http://www.gov.uk/report-benefit-fraud">www.gov.uk/report-benefit-fraud</a>
Health & Safety Executive	Tel: 0300 003 1647 Website: <a href="http://www.hse.gov.uk/contact/concerns.htm">www.hse.gov.uk/contact/concerns.htm</a>
Kirklees Council Members	Website: <a href="https://democracy.kirklees.gov.uk/mgFindMember.aspx">https://democracy.kirklees.gov.uk/mgFindMember.aspx</a>

Leeds City Council Members	Website: <a href="https://democracy.leeds.gov.uk/mgMemberIndex.aspx?VW=TABLE&amp;PIC=1&amp;FN=">https://democracy.leeds.gov.uk/mgMemberIndex.aspx?VW=TABLE&amp;PIC=1&amp;FN=</a>
North Yorkshire County Council Members	<a href="https://www.northyorks.gov.uk/councillors-information">https://www.northyorks.gov.uk/councillors-information</a>
Wakefield Council Members	Tel: 0345 8 506 506 E-mail: <a href="mailto:customerservices@wakefield.gov.uk">customerservices@wakefield.gov.uk</a> Website: <a href="http://www.wakefield.gov.uk/councillors-and-mayor/find-your-councillor">http://www.wakefield.gov.uk/councillors-and-mayor/find-your-councillor</a>
Citizens Advice Bureau	Tel: 0800 144 8848 Website: <a href="http://www.citizensadvice.org.uk">www.citizensadvice.org.uk</a>
North Yorkshire Police	Tel: 101 E-mail: <a href="mailto:generalenquiries@northyorkshire.pnn.police.uk">generalenquiries@northyorkshire.pnn.police.uk</a> Website: <a href="https://northyorkshire.police.uk/contact/non-emergency/">https://northyorkshire.police.uk/contact/non-emergency/</a>
West Yorkshire Police	Tel: 101 Website: <a href="https://www.westyorkshire.police.uk/contact-us">https://www.westyorkshire.police.uk/contact-us</a>
Kirklees Council Local Authority Designated Officer ("LADO")	Tel: 01484 221126 E-mail: <a href="mailto:LADO.cases@kirklees.gov.uk">LADO.cases@kirklees.gov.uk</a> Website: <a href="https://www.kirklees.gov.uk/beta/working-with-children/lado.aspx">https://www.kirklees.gov.uk/beta/working-with-children/lado.aspx</a>
Leeds City Council LADO	Tel: 0113 37 89687 E-mail: <a href="mailto:lado@leeds.gov.uk">lado@leeds.gov.uk</a> Website: <a href="http://www.leeds.gov.uk/docs/LADO%20-%20Local%20Authority%20Designated%20Officer.pdf">www.leeds.gov.uk/docs/LADO%20-%20Local%20Authority%20Designated%20Officer.pdf</a>
North Yorkshire County Council LADO	Tel: 01609 780780 E-mail: <a href="mailto:lado@northyorks.gov.uk">lado@northyorks.gov.uk</a>
Wakefield LADO	Tel: 01977 727032 E-mail: <a href="mailto:Lado.Referrals@wakefield.gov.uk">Lado.Referrals@wakefield.gov.uk</a> Website: <a href="http://www.wakefieldscp.org.uk/professionals-and-practitioners/lado-local-authority-designated-officer/">www.wakefieldscp.org.uk/professionals-and-practitioners/lado-local-authority-designated-officer/</a>
Leeds Safeguarding Children Partnership	Tel: 0113 3786018 E-mail: <a href="mailto:lsdp.info@leeds.gov.uk">lsdp.info@leeds.gov.uk</a> Website: <a href="https://www.leedsscp.org.uk/Home">https://www.leedsscp.org.uk/Home</a>
North Yorkshire Safeguarding Children Partnership	Tel: 01609 535123 E-mail: <a href="mailto:nyscp@northyorks.gov.uk">nyscp@northyorks.gov.uk</a> Website: <a href="http://www.safeguardingchildren.co.uk">www.safeguardingchildren.co.uk</a>
Ofsted	Website: <a href="https://contact.ofsted.gov.uk/contact-form">https://contact.ofsted.gov.uk/contact-form</a>
Department for Education	Tel: 0800 046 8687 Website: <a href="https://form.education.gov.uk/">https://form.education.gov.uk/</a>
Education and Skills Funding Agency ("ESFA")	Website: <a href="http://www.gov.uk/government/organisations/education-and-skills-funding-agency">www.gov.uk/government/organisations/education-and-skills-funding-agency</a>
Her Majesty's Revenue and Customs	Website: <a href="http://www.tax.service.gov.uk/shortforms/form/CusConf_InformB">www.tax.service.gov.uk/shortforms/form/CusConf_InformB</a>

### Monitoring, evaluation, and review

37. This policy will be promoted and implemented throughout the Trust and its Academies.
38. The Trust will monitor the operation and effectiveness of the policy at each Academy.
39. The Trust will review this policy every two years.

## Diversity

40. The Rodillian Multi Academy Trust is committed to a policy of celebrating diversity, promoting equality of opportunity, providing an inclusive workplace, and eliminating any unfair treatment or unlawful discrimination. This overriding objective applies to all policies and procedures relating to staff and students. The Trust will always comply with the requirements of the Equalities Act 2010 and associated guidance produced by the Department for Education.

## **Appendix 1: Equality Impact Assessment**

Equality, Diversity, Cohesion, and Integration Screening.

As a public authority, the Rodillian Multi Academy Trust needs to ensure that all our strategies, policies, service, and functions, both current and proposed have had proper consideration of equality, diversity, cohesion, and integration.

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services, and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion, and integration.
- whether or not equality, diversity, cohesion, and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment.

<b>Organisation:</b> The Rodillian Multi- Academy Trust	<b>Department responsible for the Policy:</b> Head of Governance and Compliance Human Resources
<b>Lead Person:</b> Adam Marham	<b>Contact Number:</b>

<b>1. Title:</b> Whistleblowing Policy
<b>2. Please provide a brief description of what you are screening</b>
The Policy

<b>3. Relevance to equality, diversity, cohesion, and integration</b>		
Questions	Yes	No
Is there an existing or likely differential impact for the different equality characteristics?		x
Have there been or likely to be any public concerns about the Policy or proposal?		x
Could the proposal affect how services are organised, provided, located and by whom?		x
Could the proposal affect our workforce or employment practices?	x	
Does the proposal involve, or will it have an impact on: -?		
• Eliminating unlawful discrimination, victimisation, and harassment		x
• Advancing equality of opportunity		x
• Fostering good relations	x	

<b>4. Considering the impact on equality, diversity, cohesion, and integration</b>
<ul style="list-style-type: none"> <li>• <b>Scope of the proposal:</b> Staff.</li> <li>• <b>Who is likely to be affected?</b> Staff.</li> <li>• <b>Consultation and engagement activities with those likely to be affected.</b> Ongoing feedback from Students, parents, staff, the community. The Policy is available through the Trust and Academies websites and a written copy can be provided on request.</li> </ul> <p><b>• Key findings</b></p> <p>We have considered the potential positive and negative impact on different equality characteristics in relation to the Policy and do not believe that any groups will be adversely affected. The Trust is vigilant in adhering to the appropriate legislation in relation to protected characteristics and to preventing discrimination. Managers are supported and trained in relation to these areas. The Policy has considered religious, racial and gender-specific clothing requirements and those of staff with disabilities in line with the Equality Act.</p> <p>We have considered the perception that the proposal could benefit one group at the expense of another and we do not believe that the Policy could be perceived to be discriminatory with regards to its wording or format.</p> <p><b>• Actions</b></p> <p>The Trust will continue to promote positive impact and remove/reduce negative impact through the application of this Policy within the organisation.</p>

<b>5. Governance, ownership, and approval</b>									
Please state here who has approved the actions and outcomes of the screening									
<table border="1"> <thead> <tr> <th>Name</th> <th>Job title</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Adam Marham</td> <td>Head of Governance and Compliance</td> <td>20.10.2020</td> </tr> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Name	Job title	Date	Adam Marham	Head of Governance and Compliance	20.10.2020			
Name	Job title	Date							
Adam Marham	Head of Governance and Compliance	20.10.2020							

<b>6. Publishing</b>	
This screening document will act as evidence that due regard to equality and diversity has been given.	
<b>Date screening completed</b>	20.10.2020
<b>Date agreed at Trust Board</b>	26.04.2021