



LAURUS

TRUST

Whistleblowing Policy

REVISION NUMBER	REVISION DATE	REVISION(S) MADE	REVISION APPROVAL DATE
1	July 2019	No changes needed	
2	April 2020	No fundamental changes to the process. Change to format, updated terminology and names of bodies.	

Policy Title and Summary	Whistleblowing Policy
Author	Mrs G Theobold Jen Jenkins
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Reviewed By	Jen Jenkins Wendy Mason
Trade Union Consultation	TBC
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Audience	All Employees
Equality Impact Assessment	
Related Documents	Grievance Procedure Complaints Procedure
Legal Framework	Employment Rights Act 1996 Public Interest Disclosure Act 1998 Data Protection Act 2018 General Data Protection Regulation (2016/679 EU) UK Public Disclosure Act 1998 that came into force on 2 nd July 1999
Glossary	

Contents

Content	Page number
Introduction	4
Aims	4
Scope	4
Principles	4
Procedure	5

Introduction

This Laurus Trust is committed to the highest possible standards of openness, probity and accountability. Any employees of the Trust who have serious concerns about the Trust and/or any school within the Trust are expected to come forward and voice those concerns. They will be able to do so in confidence and without fear of reprisal.

Aims

1. The law provides protection for employees who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that:
 - a criminal offence;
 - a miscarriage of justice;
 - an act creating risk to health and safety;
 - an act causing damage to the environment;
 - a breach of any other legal obligation; or
 - concealment of any of the above;is being, has been, or is likely to be, committed.
2. It is not necessary for the employee to have proof that such an act is being, has been, or is likely to be, committed, a reasonable belief is sufficient.
3. The employee has no responsibility for investigating the matter, it is the Trust's responsibility to ensure that an investigation takes place.
4. An employee who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they have made a disclosure.
5. The Trust encourages employees to raise their concerns under this procedure in the first instance. If an employee is not sure whether or not to raise a concern, they should discuss the issue with their line manager or the HR Team.

Scope

1. This policy is additional to the existing mechanisms that exist for raising particular issues e.g. the grievance procedure exists for issues around employment, parental complaints are managed through the Trust's complaints procedure. Child protection issues should be directed in the first instance to the Principal Education Welfare Officer.
2. Thus any serious concerns any employees have about the operation of any part of the multi academy Trust or conduct of other Trust staff or members of the Governing Body can be reported under this policy.

Principles

1. Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Employees should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
2. Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially.
3. No employee will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training will not be prejudiced because they have raised a legitimate concern.
4. Victimisation of an employee for raising a qualified disclosure will be a disciplinary offence.

5. If misconduct is discovered as a result of any investigation under this procedure the Trust's disciplinary procedure will be used, in addition to any appropriate external measures.
6. Maliciously making a false allegation is a disciplinary offence.
7. 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, employees should not agree to remain silent. They should report the matter.
8. This procedure is for disclosures about matters other than a breach of an employee's own contract of employment. If an employee is concerned that their own contract has been, or is likely to be, broken, they should use the Trust's grievance procedure.

Procedure

How to raise a concern

1. As a first step you should normally raise concerns with your immediate manager or Head of School. However, depending on the seriousness and sensitivity of the issue it may be appropriate to raise the issue with the Trustees.
2. Concerns are best raised in writing. Employees are encouraged to use the following format:
 - The background and history of the concern;
 - The reason why you are particularly concerned about the situation.
3. If you are not able to put your concern in writing you should meet with the appropriate person as detailed above.
4. You are encouraged to put your name to your allegation. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Trustees in line with corporate guidelines.
5. You may wish to consider discussing your concern with a colleague or trade union representative, you may wish to bring a representative along to any meetings you may have.
6. The Trust recognises that reporting a concern can be difficult. If what you are saying is true and raised in good faith you will have nothing to fear.
7. All concerns raised will be treated in confidence and every effort made not to reveal your identity if you so wish. However, you need to be aware that you may need to come forward as a witness. The CEO will appoint another member of the senior management team to be your welfare lead. Should your concern involve the CEO, the Chair of the Board of Trustees will make the necessary appointment.

How the Trust will respond:

8. The Trust will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting them or rejecting them.
9. Where appropriate the matter raised may:
 - Be investigated within the school;
 - Be referred to the Chair of Governors;
 - Be referred to the Trustees;
 - Be referred to the police;
 - Form the subject of an independent enquiry.
10. If the matter is dealt with within school, the Head of School (or another member of the management team nominated by the Head of School) or Governing Body will respond to the

concern. Where there is a concern regarding a Head of School, the CEO or Executive Head, as appropriate, will respond.

11. If you are not satisfied with any action taken or you feel it is right to take the matter outside the Academy the legislation sets out a number of bodies to which qualifying disclosures may be made. These include:
 - HM Revenue & Customs;
 - the Financial Conduct Authority;
 - the Competition and Markets Authority;
 - the Health and Safety Executive;
 - the Environment Agency;
 - the Independent Office for Police Conduct; and
 - the Serious Fraud Office.
12. However, please be aware that you may not necessarily be informed of the outcome of your concern.
13. If you do take the matter outside the Trust you should check that you do not disclose confidential information.