

# SOMERSET ROAD EDUCATION TRUST WHISTLEBLOWING POLICY

| Version and Date |       | Action/Notes                  |
|------------------|-------|-------------------------------|
| 1.0              | 09/15 | Approved by Author MP Trustee |
| 2.0              | 05/20 | Revised by SRET Board         |

Somerset Road Education Trust – SRET

**Designated SRET Safeguarding Trustee (& member of Audit & Risk Committee) –David Bray**  
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**Designated SRET Whistleblowing Trustee (& chair of Audit and Risk Committee) - Rob McClatchey** – [robertmcclatchey@sret.uk](mailto:robertmcclatchey@sret.uk) - Mobile Number: 07770613433

## Policy Statement

1. The Trustees of Somerset Road Education Trust is committed to the highest possible standards of openness, probity and accountability. This whistleblowing policy and procedure supports this commitment.
2. This policy follows the BSi Whistleblowing Arrangements Code of Practice.
3. The Trustees of SRET will ensure that, as per the Academies Financial Handbook point 3.1.24, the use of confidentiality clauses associated with staff severance payments do not prevent an individual’s right to make disclosures in the public interest (whistleblowing) under the Public Interest Disclosure Act 1998.

## Scope

4. It gives employees and others with genuine concerns about malpractice or wrong doing in the academy a way to voice those concerns without fear of victimisation.
5. Often it is those closest to an organisation who realise that there is something wrong. Sometimes people are reluctant to act upon their concerns because they think that they are being disloyal, or because they are afraid that they might be victimised if they speak up.
  - **Don’t think what if I’m wrong - think what if I’m right**
6. There are existing procedures in place (e.g. Grievance and Dignity at Work policies) which make provision for academy employees to lodge a concern relating to their own employment. This whistleblowing policy is intended to complement those procedures by covering concerns that appear to fall outside their scope. This concern may be about something that is:

- Unlawful, including financial or fraudulent malpractice such as embezzlement, bribery, corruption, dishonesty, etc
- Against establishment standards of practice
- Improper conduct.

7. Concerns or allegations which fall within the scope of specific procedures, e.g. child protection or financial irregularities will normally be referred for consideration under those procedures. However, please refer directly to the guidance contained on the SRET website for specific procedures relating to safeguarding to consider whether action needs to be taken in accordance with those processes.

## Definitions

8. The 'designated trustee' is the Trustee identified by the Somerset Road Education Trust as the point of contact for whistleblowing queries.
9. Whistleblowing concerns as distinct from grievances:
- Whistleblowing is where an employee has a concern about danger or illegality that has a public interest aspect to it: usually because it threatens others (e.g. customers, shareholders or the public). A grievance or private complaint is, by contrast, a dispute about the employee's own employment position and has no additional public interest dimension.

## Aims

The purpose of this policy is to provide you with the help and support you need to speak up and be confident that you can do so safely. We will take your concerns seriously and ensure that they are dealt with promptly and fairly.

## How to raise a concern

10. Initial concerns should be raised with your line manager. If you believe that your line manager is implicated then you should approach the head teacher. If your concern is about the head teacher you should approach the local Chair of Governors. If you feel you need to take your concern to someone outside the school you should approach the designated trustee of Somerset Road Education Trust - Russell Cooper or contact the Designated Officer for Allegations (DOFA), Anton Hammond, 01225 713945, Wiltshire Council.

In the event of any irregularity Olivia Bourne will refer to the Chair of SRET Risk & Audit Committee – Rob McClatchey (Tel Number: 07770613433). Matters may also be brought to The ESFA directly via their: Contact Us form: <https://www.education.gov.uk/help/contactus/dfe>

11. Within 48 hours, the person you approached [your contact] will contact you to arrange to meet you to discuss your concerns. Before the meeting, it would be helpful if you write down what you consider the problem to be, giving names, dates and places where possible. If there are any

other documents that you think might be helpful, please try to bring these with you. You are advised to take a friend, colleague or school professional association / union representative with you to the meeting with the governor.

12. You are encouraged to raise your concern in person, or through your professional association / union representative on your behalf, because concerns that are expressed anonymously are difficult to investigate. However, the academy will exercise its discretion in deciding whether to investigate an anonymous allegation. The factors taken into account will include:

- the seriousness of the issues raised;
- the credibility of the allegation; and
- the likelihood of being able to confirm the allegation from attributable sources.

### **How we will respond**

13. After the initial meeting, your contact will arrange for discreet initial enquiries to be made to decide whether an investigation is appropriate and if so, what form it should take.

14. Your contact will write to you within 10 days of your initial meeting to:

- acknowledge that your concern has been received
- outline our understanding of what the issues are; and
- indicate how we propose to deal with the matter.

15. If your contact decides that it is appropriate for an investigation to be carried out, this will either be done by them, or by a trustee who is asked to investigate – the investigating officer. However, it may sometimes be necessary for a concern to be referred to the police, an external auditor, or for it to be the subject of an independent enquiry. In addition, where it is established that the complaint involves issues of bullying or unlawful discrimination, it will be necessary to involve the school's legal advisor which is currently Messrs Stone King, Solicitor.

16. If an investigation is carried out, you will always be informed of the final outcome. It might not be possible to give you full details of the outcome if it contains personal details of a third party, because we have a duty to protect personal information under GDPR.

### **How will SRET treat Whistle blowers?**

17. If you make an allegation in good faith but it is not confirmed by the investigation, no action will be taken against you. If you knowingly make malicious allegations, disciplinary action may be taken against you.

18. Disciplinary action will be taken against any member of staff who tries to stop another employee from raising a concern or who is responsible for any act of recrimination or victimisation against an employee who raises a concern.

19. Where an employee may have been party themselves to an act of possible gross misconduct on

which they are now 'blowing the whistle' this could be considered in mitigation. They are not, however, exempt from disciplinary action.

- 20. Disciplinary action may be taken against employees if they contact the media with concerns about conduct at work without first following the steps set out in this policy.
- 21. The Trust will make every effort to protect an employee's identity when s/he raises a concern and does not want her/his name to be disclosed. It must be appreciated however, that the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence.
- 22. If you raise a concern, you will be given the opportunity to feed back any issues or problems you may have experienced as a result. The purpose of this is to ensure that employees who have raised concerns in good faith do not suffer as a result.

**Queries**

- 23. If you have any queries about this policy please contact the Head teacher, Executive Principal or Chair of Local Governing Committee.

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| Policy Written: Chair Of Audit & Risk | September 2015                   |
| Next Review:                          | September 2021                   |
| Signature of Chair of Trustees:       | Signature of Executive Principal |