



## ATLAS Multi Academy Trust

### WHISTLEBLOWING POLICY AND PROCEDURE

Trust sub-committee: Resources, Audit and Risk Committee

Co-ordinator: ATLAS Executive Team

Last Reviewed: Summer 2020

Next Review: Summer 2021

St Albans Girls' School : Beech Hyde Primary School and Nursery : The Adeyfield Academy

Signed by:  
Margaret Chapman  
*Executive Head Teacher*

Signed by:  
Rachael Kenningham  
*Chair of ATLAS Board of Directors*

<b>1</b>	<b>INTRODUCTION</b>
	<p>This policy and procedure has been produced in consultation with the professional associations/trade unions and is recommended for adoption by HfL. For ATLAS, we subscribe to the Schools' HR advisory service and a HR adviser is available to provide guidance in relation to the implementation of this policy.</p> <p>This policy and procedure applies to all individuals at all levels of the ATLAS Multi Academy Trust (MAT) including officers, members, trustees, governors employees, consultants, contractors, homeworkers, part-time and fixed term workers, casual and agency staff and volunteers (collectively referred to as staff in this policy).</p> <p>It is important to the Trust that any fraud, misconduct or wrongdoing by staff is reported and properly dealt with. The Board of Trustees will, therefore, respond to all raised concerns properly and fairly. This policy and procedure sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.</p>
	<p><b>1.1</b> The ATLAS MAT expects the highest standards of conduct from all staff and will treat seriously any concern raised about illegal or improper conduct.</p>
	<p><b>1.2</b> Staff who do not follow the steps identified in this procedure or other agreed internal procedures, and take their concerns to other outside sources (e.g. the press), may be subject to a formal disciplinary investigation.</p>
	<p><b>1.3</b> This policy does not form part of any employee's contract of employment and it may be amended at any time. The Trust may also vary any time limits as appropriate in any case.</p>
<b>2</b>	<b>BACKGROUND</b>
	<p>Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:</p>

	<ul style="list-style-type: none"> <li>• A criminal offence</li> <li>• A miscarriage of justice</li> <li>• An act creating risk to health and safety</li> <li>• An act causing damage to the environment</li> <li>• A breach of any legal obligation</li> <li>• Bribery</li> <li>• Financial fraud or mismanagement</li> <li>• Breach of Trust internal policies and procedures</li> <li>• Negligence</li> <li>• Conduct likely to damage the School/Trust reputation</li> <li>• Unauthorised disclosure of confidential information</li> <li>• Concerns about the harm or risk of harm to children</li> <li>• The deliberate concealment of any of the above</li> </ul> <p>This policy covers an act which is being, has been, or is likely to be, committed. It is not necessary for the whistleblower to have proof that such an act is being, has been, or is likely to be committed, - a reasonable belief is sufficient. Staff have no responsibility for investigating the matter; it is the Trusts responsibility to ensure that an investigation takes place.</p>
<b>2.1</b>	Where the concerns are about <b>safeguarding children or young people</b> , the school's Designated Senior Lead for Child Protection should be notified (see 7 below).
<b>2.2</b>	This is a procedure in which the Trust will be expected to act swiftly and constructively in the investigation of any concerns in accordance with the school's disciplinary procedure.
<b>2.3</b>	Concern about a colleague's professional capability should <b>not</b> be dealt with using this procedure, but should be referred to the schools Staff Capability Policy. ).
<b>3</b>	<b>WHEN SHOULD IT BE USED</b>
	<p>A whistleblower 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 of the Trust's activities (a whistleblowing concern) they should report it under this policy.</p> <p>This policy should not be used for complaints relating to a member of staffs own personal circumstances, such as the way they have been treated at work. In those cases, the staff member should use the Grievance Procedure or Anti-harassment and Bullying Policy as appropriate.</p> <p>If a member of staff is uncertain whether something is within the scope of this policy they should seek advice from the named contacts in section 8 or the Head Teacher.</p>
<b>3.1</b>	This policy and procedure is not designed to replace or be used as an alternative to the school's grievance procedure, which should be used where staff are only aggrieved about their own situation. This policy and procedure will also not apply where staff simply disagree with the way the Trust/school is run.
<b>3.2</b>	Staff must have reasonable grounds for believing the information they have is accurate and not just idle gossip or rumour.
<b>3.3</b>	Staff who makes such a disclosure has the right not to be subjected to detrimental treatment which includes, dismissal, disciplinary action, threats or other unfavourable treatment, because he/she has made a disclosure, provided it has not been made maliciously. Staff who use this policy and procedure will not be penalised for doing so. The employer will not tolerate harassment and/or victimisation of staff raising concerns.
<b>3.4</b>	Staff who are not sure whether the conduct he/she is concerned about does constitute illegal or improper conduct or is unsure about how to proceed may contact the Herts for Learning head of HR - (details in section 8) or professional association/trade union.
<b>3.5</b>	Financial regulations require that any suspicion of fraud, corruption or other financial irregularity is reported to Trust Business Manager for possible investigation. Normally staff

		must first report any suspicion of such an irregularity to the Head Teacher or named contacts in section 8 (but see section 5), who will in turn report it to the Funding Agency.
<b>4</b>	<b>PRINCIPLES</b>	
<b>4.1</b>	Any matter raised under this policy and procedure will be investigated thoroughly, promptly and confidentially. Whilst the Trust/school will aim to keep the whistleblower informed of the progress of the investigation and likely timescales sometimes the requirement for confidentiality will prevent full information about the investigation and any consequential disciplinary action from being disclosed.	
<b>4.2</b>	No staff will be victimised for raising a matter under this policy. This means that the continued employment and opportunities for future promotion or training of whistleblower will not be prejudiced because he/she has raised a legitimate concern.	
<b>4.3</b>	Victimisation of a worker for raising a qualified disclosure will be a disciplinary offence.	
<b>4.4</b>	If misconduct is discovered as a result of any investigation under this policy the matter will be considered under the school's disciplinary procedure, in addition to any appropriate external measures.	
<b>4.5</b>	Maliciously making a false allegation is a disciplinary offence.	
<b>4.6</b>	An instruction to cover up wrongdoing is in itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority, staff should not agree to remain silent.	
<b>5</b>	<b>PROCEDURE</b>	
<b>5.1</b>	In the first instance, unless the whistleblower reasonably believe their Head Teacher to be involved in the wrongdoing, in which case concerns should be raised with named contacts in section 8, any concerns should be raised with the employee's Head Teacher.	
<b>5.2</b>	<p>The Head Teacher/named contact will arrange an investigation into the matter (either by investigating the matter himself/herself or immediately passing the issue to someone in a senior position or external to the organisation). The investigation may involve the whistleblower and others involved giving written statements. Any investigation will be carried out in accordance with the principles set out above.</p> <p>Staff who want to use the procedure but feel uneasy about it may wish to consult their professional association/trade union initially and bring a colleague/ professional association/trade union representative along to any discussions. This is permitted as long as the third party is not involved in the issue.</p> <p>Staff are not encouraged to make disclosures anonymously. Proper investigation may be more difficult or impossible if further information cannot be obtained from the whistleblower. It is also more difficult to establish whether any allegations are credible.</p> <p>Staff who are concerned about possible reprisals if their identity is revealed should come forward to one of the contacts listed in section 8 of this policy and appropriate measures can be taken to preserve confidentiality although no guarantee can be given that this will always be possible.</p>	
<b>5.3</b>	The Head Teacher (or the person who carried out the investigation) will then report to the Chair of Trustees/Board of Directors who will take the necessary action, including reporting the matter to any appropriate department or regulatory agency. If disciplinary action is required, this will be taken forward by the Head Teacher/Chair of Trustees/Board of Directors in consultation with the School's HR advisory team. On conclusion of any investigation, the whistleblower will be told the outcome of the investigation and what the next steps will be (subject to issues of confidentiality). If no action is to be taken the reason for this will be explained.	

	<p>The aim of this policy and procedure is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the school. In most cases staff should not find it necessary to alert anyone externally and employees are strongly advised to seek advice before reporting a concern in this way. Staff who feel unable to follow this route, for whatever reason, have the option of contacting a prescribed person and the Public Interest Disclosure Prescribed Persons list and the matters within their remit. For education issues this is likely to include Her Majesty's Chief Inspector of Children's services and skills, the Secretary of State for Education and the Office of Qualifications and Examinations Regulator. A full list can be obtained from the charity, Public Concern or the BEIS website.</p>
<b>6</b>	<b>WHAT SHOULD BE DONE IF AN ISSUE IS RAISED WITH A MEMBER OF STAFF?</b>
<b>6.1</b>	If a member of staff, other than the Head Teacher, is approached by a colleague on a matter of concern as defined in this document, he/she is advised to take the matter to the Head Teacher (but see 5).
<b>7</b>	<b>SAFEGUARDING CHILDREN AND YOUNG PEOPLE</b>
<b>7.1</b>	Separate to the obligations under this policy, all staff have a duty to report concerns about the safety and welfare of pupils/students
<b>7.2</b>	<p>Concerns about any of the following should be reported to the school's designated senior person for Child Protection (DSP):</p> <ul style="list-style-type: none"> <li>• physical abuse of a pupil/student</li> <li>• sexual abuse of a pupil/student</li> <li>• emotional abuse of a pupil/student</li> <li>• neglect of a pupil/student</li> <li>• an intimate or improper relationship between an adult and a pupil/student</li> </ul>
<b>7.3</b>	The reason for the concern may be the actions of a colleague (including a more senior colleague), a governor, another pupil/student or someone outside the school. Whatever the reason, concerns must be reported. Failure to report a Child Protection related allegation will be in itself, a disciplinary matter.
<b>8</b>	<b>CONTACTS</b>
	<p><b>ATLAS MAT Trustee</b>  <b>Paul Snook</b>  <b>govps@atlasmat.co.uk</b></p> <p><b>ATLAS MAT Staff</b>  <b>Phil O'Neill</b>  <a href="mailto:pol@stags.herts.sch.uk">pol@stags.herts.sch.uk</a>  <b>01727 853134</b></p> <p><b>Herts HR (HfL)</b>  Assistant Director  Tel: 01992 556653</p> <p><b>MAT Internal Audit</b>  Trust Finance Manager  Jo Hart  Tel: 01727 853134</p> <p>Or via your professional association or trade union representative</p>

	Or the independent whistleblowing charity Public Concern at Work; Helpline (020) 7404 6609 E-mail: <a href="mailto:whistle@pcaw.co.uk">whistle@pcaw.co.uk</a>
<b>9</b>	<b>MONITORING</b>
	This policy will be monitored annually by the Trust Executive Team and Trustees.



# ATLAS Multi Academy Trust

## Equality Impact Analysis

When reviewing all schools' policies, the following Equality Impact Analysis (EIA) should be undertaken to ensure fairness of the new proposals/policy and to identify any action needed to redress any potential discrimination, positively promoting equal opportunities, improved access and participation for all.

<b>Title of Policy:</b>	Whistleblowing Policy
<b>Date:</b>	Summer 2020
<b>EIA carried out by:</b>	Mr P O'Neill
<b>EIA reviewed by:</b>	ATLAS Resources Committee

<b>1. Identify the aims and objectives of the policy, what will be the proposed change and how will it be implemented</b>	
<ul style="list-style-type: none"> <li><b>Policy contains information about:</b> Overall aims and objectives? What is the proposed change? Who is intended to benefit from the proposal and in what way? Outcomes of the policy? How will it be put into practice and who is responsible for this?</li> </ul>	Yes

<b>2. Assessment of Impact? To include impact of policy, any plans needed to mitigate any negative impact, equality issues to be addressed</b>		
Characteristic	Group	Effect/Impact
<ul style="list-style-type: none"> <li>Age</li> <li>Disability</li> <li>Gender reassignment</li> <li>Marriage/civil partnership</li> <li>Pregnancy/Maternity</li> <li>Race</li> <li>Religion or Belief</li> <li>Sex</li> <li>Sexual orientation</li> </ul>		No impact

<b>3. Consultation</b>	
<ul style="list-style-type: none"> <li><b>New policy contains information about:</b> Policy audience, expected actions and outcomes. Consultation and communication process Accessibility for all Fair access to the consultation process Lessons learnt from previous consultation, if appropriate</li> </ul>	Expectations, requirements and actions

<b>4. Decision</b>	
<ul style="list-style-type: none"> <li>Should the new proposal/policy be agreed and any impacts identified following consultations?</li> <li>What reasonable adjustments are required?</li> </ul>	No issues or adjustments required

<b>5. Action Planning</b>	
<ul style="list-style-type: none"> <li>Any actions identified to address inequality for different groups?</li> <li>Any actions identified to promote equality and diversity?</li> <li>Where are these actions recorded and who is responsible for them?</li> </ul>	None

<b>6. Monitoring and Review</b>	
<ul style="list-style-type: none"> <li>When will the impact assessment be reviewed?</li> <li>Who is responsible?</li> </ul>	<p>Summer 2021</p> <p>Mr P O'Neill</p>

<b>7. Publication of the results of the impact assessment</b>	
<ul style="list-style-type: none"> <li>Results of EIA are published – where and when?</li> <li>The results are kept as a public record of the EIA – where and when?</li> </ul>	With policy