

Whistleblowing Policy

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This policy applies to :	Employees (including contractors, casual, agency staff and trainees)	
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CONTENTS

- 1 INTRODUCTION**
- 2 POLICY STATEMENT**
 - 2.1 Complaints as at count as whistleblowing
 - 2.2 How to raise a concern
 - 2.3 How the matter will be progressed
 - 2.4 Timescale
 - 2.5 Confidentiality
 - 2.6 Raising unfounded malicious concerns
- 3 RESPONSIBILITIES AND COMPLIANCE**
- 4 COMPLAINTS AND APPEALS**
 - 4.1 If you're treated unfairly after whistleblowing
 - 4.2 External Advice

1 INTRODUCTION

The staff and governors of The Pinnacle Learning Trust seek to run all aspects of Trust business and activity with full regard for high standards of conduct and integrity. In the event that an employee of the Trust becomes aware of activities which give cause for concern, the Trust has established the following whistleblowing policy, or code of practice, which acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

Throughout this policy, the term *whistleblower* denotes the person raising the concern or making the complaint. It is not meant in a pejorative sense and is entirely consistent with the terminology used by Lord Nolan as recommended in the *Second Report of the Committee on Standards in Public Life: Local Spending Bodies* published in May 1996.

Concerns about wrongdoing within the Trust or any of its Academies, such as fraud, malpractice, mismanagement, breach of health and safety law or any other illegal or unethical act, either on the part of management, the Governing Body or by fellow employees should be raised using this procedure. Complaints relating to your personal circumstances in the workplace should be dealt with under the Academy grievance procedures.

The Pinnacle Learning Trust is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved. Individuals raising a concern can do so without fear of victimisation, subsequent discrimination or disadvantage.

2 POLICY STATEMENT

The Pinnacle Learning Trust is committed to tackling fraud and other forms of malpractice and treats these issues seriously. We recognise that some concerns may be extremely sensitive and have therefore developed a system which allows for the confidential raising of concerns within the Academy environment but also has recourse to an external party outside the management structure of the Academy.

The Trust encourages the employee to raise the matter internally in the first instance to allow those staff and governors in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

2.1 Complaints that count as whistleblowing

Whistle blowing can be defined as the disclosure of confidential information that relates to some danger, fraud or other illegal or unethical conduct connected with the work place where the whistle blower does not have sufficient confidence that the normal management procedures can be relied upon to halt the malpractice.

The type of activity or behaviour which should be dealt with under this policy includes:

- fraud or financial irregularity
- inappropriate use of the Trust's assets or funds
- any criminal activity or failing to comply with a legal obligation
- someone's health and safety is in danger
- risk or actual damage to the environment
- abuse of position or decision making for personal gain
- behaviour which is in serious breach of the Trust/Academy's procedures and values.

The list above is for guidance only and is not intended to be exhaustive.

Members of staff are entitled to refuse to carry out instructions if they would result in any of the above, and disciplinary action will not result in these circumstances.

The policy also applies where attempts are made to cover up such malpractice.

2.2 How to raise a concern

Academies will identify a number of individuals designated to specifically deal with such matters within their organisation and the whistleblower is invited to decide which of those individuals would be the most appropriate person to deal with the matter. The list of individuals for each Academy is included in Appendix 1.

The whistleblower may prefer to raise the matter in person, by telephone or in written form marked private and confidential and addressed to one of the above named individuals. The concern can be made anonymously, however this may limit the ability of the Trust to investigate the matter fully and provide feedback. All matters will be treated in strict confidence and anonymity will be respected wherever possible.

All matters of concern raised under this policy will be referred to the Executive Principal, who will appoint an investigating officer to review the matter. Should it be alleged that the Executive Principal is involved in the suspected malpractice; the HR Manager should be informed and they will notify the Chair of the Trust.

2.3 How the matter will be progressed

The investigating officer will carry out a preliminary investigation, which may involve an interview with the whistleblower. The whistleblower has the right to be accompanied by a recognised trade union representative or a work colleague. This will seek to establish the facts of the matter and assess whether the concern has foundation and report their findings to the Executive Principal. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of Trust staff, legal or HR advisors, external auditors, the Local Authority Designated Safeguarding Officer, the police and the DfE.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), in conjunction with the Executive Principal, will consider what corrective action needs to be taken. This may include some form of disciplinary action or third party referral such as the police.

The whistleblower will be informed of the results of the investigation and the action taken to address the matter. Depending on the nature of the concern or allegation and whether or not it has been substantiated, the matter will be reported to the governing body.

2.4 Timescale

The investigation should start as soon as possible and no later than 10 days following the disclosure. The whistleblower will be kept informed throughout the investigation if appropriate, and will be notified in writing of the outcome of the investigation within 10 days of its conclusion.

2.5 Confidentiality

Wherever possible The Pinnacle Learning Trust seeks to respect the confidentiality and anonymity of the whistleblower. If the concern is serious enough to involve disciplinary or police action, it may be necessary to give the names of witnesses, however this will be fully discussed with the whistleblower in advance.

2.6 Raising unfounded malicious concerns

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

3 RESPONSIBILITIES AND COMPLIANCE

The Executive Principal has overall responsibility for maintaining fair, consistent and objective procedures for matters relating to whistleblowing.

The Academy Principals have overall organisation, control and management within their Academy.

The HR Manager will review the policy every 3 years, unless legislation or Trust/Academy practice require changes to be made sooner.

The nominated individuals in Appendix 1 must act appropriately in accordance with this policy.

4 COMPLAINTS AND APPEALS

If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns should be raised with the Executive Principal or Chair of Governors.

Alternatively the whistleblower may feel it is appropriate to gain external advice or report the matter externally.

4.1 If you're treated unfairly after whistleblowing

Whistleblowers are protected by law from suffering a detriment, bullying or harassment from another employee – as long as the disclosure is made in the public interest and made in good faith. The Trust is committed to ensuring that employees who use this policy to raise a concern will not be treated unfairly as a result of doing so. We will not tolerate any attempt to victimise the whistleblower or attempts to prevent concerns being raised and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

Complaints about unfair treatment following whistleblowing should be reported to the investigating officer or Executive Principal.

4.2 External Advice

Information and advice can be obtained from the charity Public Concern at Work. This charity offers free legal advice in certain circumstances to people concerned about serious malpractice at work. Their literature states that matters are handled in strict confidence and without obligation. Contact details for the charity are as follows:

Public Concern at Work
CAN Mezzanine
7-14 Great Dover Street
LONDON SE1 4YR
www.pcaw.org.uk
Telephone Advice Line: 020 7404 6609
General enquiries: 020 3117 2520

You can also get further information from the Advisory, Conciliation and Arbitration Service (Acas), Citizens' Advice, or our trade union.

Appendix 1

List of individuals to whom the whistle blower can raise a concern:

The Hathershaw College

Mr M Giles	Principal
Mr R Logan	Vice Principal
Mr A Travis	Vice Principal
Mr A Ur-Rehman	Chair of Governors

Oldham Sixth Form College

Any member of the Senior Leadership Team	
Linda Burrows	HR Manager
Irene Howard	Chair of Governors

The Pinnacle Learning Trust

Jayne Clarke	Executive Principal
Andrew Kilburn	Chair of Trustees

Werneth Primary School

Simon Whittaker	Acting Principal
Katy Gregory	Assistant Principal
Katie Malley	Assistant Principal
Ambrin Shah	Chair of Governors