



## **WHISTLEBLOWING POLICY**

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| <b>Approving Body</b>         | Trust  |
| <b>Date of First Approval</b> | 3 March 2017   |
| <b>Date of Last Amendment</b> |  |
| <b>To be Reviewed</b>         | Annually   |
| <b>Responsible Officer</b>    | Chair of the Trust<br><br>Whistleblowing Officer<br> |

## **I. POLICY STATEMENT**

1. BMAT operates with honesty and integrity at all times; and expects all members of the BMAT community to do the same.
2. Notwithstanding this, all organisations face the risk of things going wrong from time to time or of unknowingly harbouring illegal or ethical conduct.
3. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur.
4. The aims of this policy are as follows:
  - a. To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that all concerns raised in good faith will be taken seriously and investigated as appropriate and that confidentiality will be respected;
  - b. To provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace; in most cases, it will not be necessary to alert anyone externally.
  - c. To provide staff with guidance as to how to raise those concerns; and
  - d. 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.
5. Responsibility for the Success of this Policy:
  - a. The Whistleblowing Officer has day-to-day operational responsibility for this policy, and must ensure that all managers and other staff who may deal with concerns or investigations under this policy receive regular and appropriate training.
  - b. All members of BMAT staff are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.
6. This policy does not form part of any employee's contract of employment and it may be amended at any time.

## **II. SCOPE AND USEFUL DEFINITIONS**

7. This policy applies to all individuals working at all levels of BMAT, who shall be collectively referred to as 'staff' in this policy. 'Staff' includes:

- a. Officers, directors, employees, consultants, contractors, trainees, homeworkers; and
- b. Part-time and fixed-term workers; and
- c. Casual and agency staff and volunteers.

**8. Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:**

- a. Criminal activity;
- b. Miscarriages of justice;
- c. Dangers to health and safety;
- d. Damage to the environment;
- e. Failure to comply with any legal or professional obligation or regulatory requirements;
- f. Bribery;
- g. Financial fraud or mismanagement;
- h. Negligence;
- i. Breach of internal policies and procedures;
- j. Conduct likely to damage our reputation;
- k. Unauthorised disclosure of confidential information
- l. Concerns about the harm or risk of harm to children; and
- m. The deliberate concealment of any of the above matters.

**9. A whistle-blower is a person who raises a genuine concern relating to any of the above.** If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it in accordance with this policy.

**10. This policy should not be used for complaints relating to personal circumstance** i.e. the way staff are treated at work. In those cases, staff should use the [Grievance Policy](#) or [Anti-harassment and Bullying Policy](#), as appropriate.

**11.** If a member of staff is uncertain as to whether or not something is within the scope of this policy, s/he should seek advice from the Whistleblowing Officer, whose contact details are at the end of this policy.

### **III. PROTOCOL FOR HANDLING WHISTLEBLOWING CONCERNS**

**12.** In the first instance, members of staff with whistleblowing concerns should raise those concerns as soon as reasonably practicable with a member of the Senior Leadership Team or a member of the Trust Executive. Matters may be put in writing for comfort and/or convenience.

**13.** In some cases, raising concerns in this way will reveal that a whistleblowing concern can be resolved quickly and effectively, for example because it:

- a. Is genuine but mistaken; or
- b. Relates to a non-serious matter, such as a minor and accidental breach of an internal policy or procedure (e.g. an administrative error that can be easily rectified).

**14.** If a whistleblowing concern is discovered to be genuine but mistaken, the person to whom it is reported must still record the concern in writing and clearly inform the whistle-blower why s/he is mistaken. Genuine but mistaken whistleblowing concerns must never be used against the members of staff who raise them.

**15.** If a whistleblowing concern relates to a non-serious matter that can be easily rectified, the person to whom it is reported must:

- a. Record the concern in writing;
- b. Rectify any effect of the non-serious error, such as a single and minor administrative error, unless it has already been rectified; and
- c. Ensure that the individual or team responsible for the error is informed of it and encouraged to avoid it in the future. This may require training, guidance on how practice should improve and monitored target setting (e.g. the assignment of a 'mentor' to the individual or department concerned, who is responsible for checking that the error is not repeated over a specified period);
- d. Communicate the outcome of the above to the whistle-blower, preferably in writing.

**16.** The Whistleblowing Officer is Miss Kathryn Burns, the BMAT MD and Accounting Officer. She should be contacted if:

- a. A whistleblowing concern is more serious; or
- b. A whistleblowing concern has not been addressed effectively by a member of the Senior Leadership Team or the Trust Executive; or



- a. Be a member of the Senior Leadership Team, the Trust Executive or the Board of Trustees; with
- b. Relevant experience of investigations; and
- c. Specialist knowledge of the subject matter.

24. The investigator(s) may:

- a. Hold further meetings with the whistle-blower;
- b. Hold meetings with the subject(s) of the whistleblowing concern, in order to investigate the extent and accuracy of the concern;
- c. Make written recommendations for change to enable BMAT to minimise the risk of future wrongdoing. These recommendations may be in line with other BMAT policies, such as the [Capability Policy](#), [Disciplinary Policy](#) and [Performance Management Policy](#).

25. Investigator(s) will aim to keep whistle-blowers informed of the progress of an investigation and its likely timescale. However, the need for confidentiality may prevent BMAT from disclosing specific details of an investigation e.g. if disciplinary action is taken, then it will be a confidential matter between BMAT and the disciplined member of staff.

26. Investigators must keep a written record at each stage of an investigation and treat any information obtained from an investigation as confidential.

27. If a whistle-blower is found to have made false and/or malicious allegations, with or without a view to personal gain, disciplinary action will be taken against him/her.

#### **IV. DISCLOSING WHISTLEBLOWING CONCERNS TO AN EXTERNAL BODY**

28. [EFA guidance](#) states that the whistle-blowing individual should only contact the EFA if the Academy or Multi-Academy Trust's own procedure has already been followed. Accordingly, this policy provides an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace; in most cases, it will not be necessary to alert anyone externally.

29. However, the law recognises that in some circumstances it may be appropriate for whistleblowing concerns to be reported to an external body or regulator.

30. It will very rarely, if ever, be appropriate to alert the media and the act of doing so may result in legal action being taken by BMAT against the disclosing member of staff.

31. Members of staff are strongly encouraged to seek advice before reporting a concern to an external body. The independent whistleblowing charity, [Public Concern at Work](#), operates a confidential helpline. Their contact details are at the end of this policy.

32. Whistleblowing concerns usually relate to the conduct BMAT staff, but they may relate to the actions of a third party, such as a supplier or service provider. In some circumstances the law will protect you if you raise the matter with the third party directly. Members of staff are encouraged to report such concerns internally in the first instance. You should contact your line manager or one of the other individuals set out in [Paragraph 11](#) of this policy for guidance

## **V. CONCERNS OR COMPLAINTS ABOUT THE HANDLING OF A WHISTLEBLOWING MATTER**

32. BMAT cannot always guarantee the outcome sought by members of staff with whistleblowing concerns. However, BMAT will try to deal with your concern fairly, objectively and sensitively. By using this policy, members of staff can help us to achieve its aims, in the interests of all members of the BMAT community.

33. If a member of staff is dissatisfied with the way in which their whistleblowing concern was handled under this policy, s/he may consider raising it with the EFA, which takes all genuine whistleblowing concerns seriously. Contact details for the EFA and other useful professional organisations are listed at the end of this policy.

## **VI. PROTECTING AND SUPPORTING WHISTLEBLOWERS**

33. Whistle-blowers may worry about possible repercussions. We aim 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 as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. I

35. If a whistle-blower believes that s/e has suffered any such treatment, s/he should inform the Whistleblowing Officer immediately.

36. If the matter is not remedied you should raise it formally under the BMAT Grievance Policy.

37. If staff threaten or retaliate against whistle-blowers in any way, they will be subject to disciplinary action.

## **VII. LIST OF CONTACTS**

38. Whistleblowing Officer – Miss Kathryn Burns – BMAT MD and Accounting Officer:

- a. [kburns@beaconacademytrust.co.uk](mailto:kburns@beaconacademytrust.co.uk) ;
- b. 020 8551 4954;
- c. Beal High School, Woodford Bridge Road, Ilford, IG4 5LP.

39. Chair of the Trust – Mr Mel Woodcock, contactable through Mr Ebrahim Vawda, Clerk to the Trust:

- a. [evawda@beaconacademytrust.co.uk](mailto:evawda@beaconacademytrust.co.uk)
- b. 020 8551 4954.
- c. Beal High School, Woodford Bridge Road, Ilford, IG4 5LP.

40. EFA:

- a. [Procedure for dealing with Complaints about Academies](#)
- b. [‘Contact Us’ Form](#)
- c. Ministerial and Public Communications Division, Department for Education, Piccadilly Gate, Store Street, Manchester M1 2WD.

41. Public Concern at Work:

- a. Whistleblowing Advice Line – 020 7404 6609