

NORTHERN STAR ACADEMIES TRUST WHISTLEBLOWING POLICY

1. INTRODUCTION

1. The greatest deterrent to malpractice or wrongdoing is the probability that it will be reported and investigated vigorously, that those who are responsible for it will be punished and that the matter will be promptly remedied. This policy is therefore intended as a clear statement that any malpractice by NSAT employees reported to the Directors will be swiftly and thoroughly investigated. The Directors will also look at ways to ensure that such malpractice or wrongdoing can be prevented for the future.

2. AIMS AND SCOPE OF THE POLICY

2.1 This policy aims to provide all NSAT employees with:

☒ avenues to raise concerns and receive feedback on any actions taken.

☒ reassurances that they will be protected from reprisals or victimisation for whistleblowing in good faith.

2.2 Set out below is a list which is intended to illustrate the sorts of issues which may be considered as malpractice or wrongdoing and raised under this Whistleblowing policy:

- (a) Any unlawful act, whether criminal or a breach of civil law;
- (b) Maladministration, as defined by the Local Government Ombudsman;
- (c) Breach of any statutory Code of Practice;
- (d) Breach of or failure to implement or comply with any policy determined by the school or any Committee or Sub-Committee of the school;
- (e) Failure to comply with appropriate professional standards;
- (f) Corruption or fraud including obtaining money (eg grants) without entitlement;
- (g) Misuse of assets, including stores, equipment, vehicles, buildings, computer hardware and software;
- (h) Actions which are likely to cause physical danger to any person, or to give rise to a risk of significant damage to property;
- (i) Failure to take reasonable steps to report and rectify any situation which is likely to give rise to a significant avoidable cost, or loss of income, to the school or would otherwise seriously prejudice the school;
- (j) Abuse of power or the use of the school's powers and authority for any unauthorised or ulterior purpose;
- (k) Unfair discrimination in the school's employment or services.

2.3 This Whistleblowing policy is intended to supplement, rather than to replace, the existing grievance procedures as laid down in NSAT policy whereby employees of the school may already raise complaints or matters of genuine concern with the school. It is therefore designed to provide a channel for those instances where the person reporting the matter feels that, for any reason, they cannot make use of those existing complaints procedures. *NSAT Finance & Budget Manual 50*

3. EMPLOYEE CO-OPERATION AND SAFEGUARDS

3.1 In many cases it is the employees of the trust who are likely to be in the best position to learn of any malpractice or wrongdoing within the school and to identify something which falls below the standards which the school and its customers are entitled to expect. The trust expects the fullest co-operation of all its employees in securing the highest standards of service. This means that, where employees of the trust are aware of or suspect malpractice, the school will expect them to report these suspicions. Where employees fail to report their suspicions, they become themselves implicated in the wrongdoing, and the trust will treat failure by an employee to report such matters as a serious matter.

3.2 The trust will respect the confidentiality of any whistleblowing complaint received, where the complainant requests that confidentiality. However, it must be appreciated that it will be easier to follow up and to verify complaints if the complainant is prepared to give his/her name, and unsupported anonymous complaints and allegations will have to be treated with caution.

3.3 Any reporting system will be of little effect if those who should use it are afraid that, as the result of making their report, they may experience recriminations, victimisation or harassment. The trust will therefore not tolerate any attempt on the part of any employee to take reprisals against any person who has reported any serious and genuine concern that they may have at any apparent malpractice. The trust will treat any such recriminations, victimisation or harassment by any employee as a serious matter.

3.4 The trust and its schools are proud of its reputation for having the highest standards of probity. It will therefore ensure that the necessary resources are put into investigating any complaints which it receives. As a

consequence of this it will view very seriously any false or malicious allegations which it receives, and will regard the making of any deliberately malicious or vexatious allegations by any employee or as a serious disciplinary offence.

4. HOW TO RAISE A CONCERN

4.1 It is better if concerns are raised in writing to the Academy's local governing body. This allows the opportunity to set out the background and history of the concern, giving names, dates and places where possible, and the reason why the employee is particularly concerned about the situation.

4.2 It is envisaged that the local Governors will be the first point of contact in the vast majority of cases. It will be their responsibility to initially investigate all matters reported to them promptly and in accordance with the procedure notes issued.

4.3 Employees can write directly to the Chair of Governors or via the Clerk to the Governors at the Academy's address.

4.4 Although whistleblowers are not expected to prove the truth of an allegation, they will need to demonstrate to the person they choose to contact that there are sufficient grounds for concern.

5. HOW THE SCHOOL WILL RESPOND

5.1 In order to protect individuals, NSAT and its schools, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example child protection or discrimination issues) will normally be referred for consideration under those procedures. *NSAT Finance & Budget Manual 51*

5.2 Some concerns may be resolved by agreed action without the need for investigation.

5.3 Within ten working days of a concern being received, the Chair of Governors will write to the whistleblower:

- ☑ acknowledging that the concern has been received;
- ☑ indicating how it proposes to deal with the matter;
- ☑ giving an estimate of how long it will take to provide a final response;
- ☑ stating whether any initial enquiries have been made, and
- ☑ stating whether further investigations will take place, and if not, why not.

5.4 The amount of contact between the officers considering the issues and the complainant will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from the whistleblower.

5.5 When any meeting is arranged, the whistleblower has the right, if they so wish, to be accompanied by a Union or professional association representative or a work colleague who is not involved in the area of work to which the concern relates.

5.6 The trust will take steps to minimise any difficulties which the whistleblower may experience as a result of raising a concern. For instance, if they are required to give evidence in criminal or disciplinary proceedings, the School will give advice about the procedure.

5.7 The trust accepts the whistleblower needs to be assured that the matter has been properly addressed. Thus, subject to legal constraints, information about the outcomes of any investigations will be given.

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