Creating Tomorrow Trust

Whistleblowing Policy

About this document:

Purpose

This policy is written to ensure all colleagues, governors and trustees are fully aware of the purpose and nature of the Whistleblowing Policy.

These procedures are in place to enable anybody who has a concern to be able to raise it with the knowledge that it will be dealt with in a professional manner. to be raised in the appropriate way so that they can be resolved as quickly and efficiently as practically possible.

Complied by: CEO	**Date:** Sep 24/Jun 26
Committee: A&R Committee	**Date agreed by Trustees:** Jul 26
Review Cycle: To be reviewed as necessary and at least every 2 years	**Review Date:** Jun 28

Creating Tomorrow Trust

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Wellbeing at Creating Tomorrow Trust

At Creating Tomorrow Trust, we believe that when our people thrive, our learners and communities thrive too.

Physical, emotional and mental wellbeing are essential to a thriving, collaborative and values-driven organisation, and we are committed to creating an environment where every colleague feels supported, respected and able to flourish.

We recognise that wellbeing needs can change over time, and anyone may experience challenges. We work together with openness, compassion and trust, ensuring that help is accessible when it is needed.

Health and wellbeing are everyone's responsibility, and we encourage a positive culture where concerns can be raised without judgement. The Trustees take their duty of care seriously and are committed to ensuring that support for all employees is available through:

- Effective and supportive line management
- A fair and manageable workload
- A professional, safe and inclusive working environment
- Access to wellbeing and employee support services through our Employee Assistance Programme:
  - *08000 856 148*
  - *educationsupport.org.uk*

We are committed to continuous improvement. **All Trust policies are reviewed for their impact on staff wellbeing**, ensuring our values are reflected not only in what we say, but in what we do.

Together, we create tomorrow by caring for one another today.

Creating Tomorrow Trust

Whistleblowing Policy

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Creating Tomorrow Trust

Whistleblowing Policy

1. Introduction

Creating Tomorrow Academy Trust wants all workers to be confident that their concerns will be taken seriously and that they will be protected from unfair treatment if they raise a concern.

The Trust is committed to the highest standards of openness, probity and accountability. It encourages an open dialogue between colleagues, leaders, governors and trustees to ensure concerns are resolved at the earliest opportunity. It is important to the schools and college that any wrongdoing within the school or college is reported and properly dealt with. The school or college recognises that workers are valuable eyes and ears within the organisation, and therefore encourages all individuals with concerns to come forward and voice these.

If an individual has concerns about anything happening within the school or college, they should read this policy. This policy sets out the way in which individuals may raise concerns and how they will be dealt with. Creating Tomorrow encourages staff to use internal mechanisms for reporting malpractice or illegal acts or omissions by employees or ex-employees, however if the employee feel that they cannot raise a concern internally, this policy gives guidance for routes for raising a concern externally.

The Public Interest Disclosure Act 1998 protects workers who make 'protected disclosures' from dismissal or from being subject to a detriment.

2. Aims

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Let all colleagues in the Trust know how to raise concerns about potential wrongdoing in or by the Trust
- Set clear procedures for how the Trust will respond to such concerns
- Let all colleagues know the protection available to them if they raise a whistle-blowing concern
- Assure colleagues that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the Trust in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

3. Legislation

The requirement to have clear whistle-blowing procedures in place is set out in the Academy Trust Handbook.

This policy has been written in line with the above document, as well as government guidance on whistle-blowing. We also take into account the Public Interest Disclosure Act 1998.

This policy complies with our funding agreement and articles of association.

4. Definition of whistle-blowing

Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest". The statutory categories for wrongdoing are:

- a criminal offence (such as insurance fraud or illegal tax evasion)
- Sexual harassment
- a breach of any legal obligation
- Breaches of financial management procedures
- a miscarriage of justice
- endangering an individual's health and safety
- damage to the environment
- deliberate concealment of information about any of the above, or any other wrong doing in the public interest.

Examples of wrongdoing might include (but are not restricted to) :

- unsafe working conditions
- lack of, or poor, response to a reported safety incident
- breach of safeguarding policy or procedure and therefore causing harm, or a risk of harm, to a young person
- inadequate induction or training for staff
- suspicions of fraud
- a bullying culture (across a team or organisation rather than individual instances of bullying).

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the trust count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

When staff have a concern they should consider whether it would be better to follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work) has:

- Further guidance on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure
- A free and confidential advice line

Public Concern at Work: Telephone (general enquiries): 020 3117 2520
Whistleblowing Advice line: 020 7404 6609

Email: UK advice line:
whistle@pcaw.org.uk UK services:
services@pcaw.org.uk

Further advice can be found:

- UK government advice on 'Whistleblowing for employees' www.gov.uk/whistleblowing
- Acas guidance on 'Whistle-blowing – Public Interest Disclosure' https://archive.acas.org.uk/index.aspx?articleid=1919

5. Procedure for colleagues to raise a whistle-blowing concern

5.1 When to raise a concern

Colleagues should consider the examples in section 3 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or trust procedures, put people in danger or was an attempt to cover any such activity up.

5.2 Who to report to

Raising concerns with the Appropriate Person internally

The trust encourages individuals to raise concerns internally with an Appropriate Person. The following are considered by the Trust to be Appropriate Persons:

- the Headteacher / Principal
- the Chair of Trustees
- the Chief Executive Officer, or

- if the person does not feel they can raise the concern with either of the above, a person identified in Appendix A.

Depending upon the role there are different persons for whom the concern, in the first instance, should be raised with:

Concern regarding	Raise concern with
School / College colleagues	Headteacher
Headteacher	Chair of Trustees
Chief Executive Officer, Chief Operating Officer, Chief Finance Officer	Chair of Trustees
Local Governor	Chair of Trustees
Trustee or Member	Chief Executive Officer

Raising concerns externally

If the employee does not feel able to raise the concerns internally, it is recommended that they take advice from Public Concern at Work.

The individual may then consider reporting the concern externally (see section 8)

5.3 How to raise the concern

Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Colleagues raising a concern should also include details of any personal interest in the matter.

6. Trust procedure for responding to a whistle-blowing concern

6.1 Investigating the concern

When a concern is received by the headteacher/trustee/other named person - referred to from here as the 'recipient' - they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative
- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy)
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
    - The recipient should then arrange a further investigation into the matter, involving the headteacher and/or chair of trustees if appropriate. In some cases, they may need to bring in an external, independent body to investigate. In other cases, they may need to report the matter to the police
    - The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps

Initial Steps

The action taken by the school will depend on the nature of the concern. The matters raised may, for example:

- be investigated internally,
- be referred to the Police, or other appropriate body
- be referred to an External Auditor, or
- form the subject of an independent inquiry.

Some concerns may be resolved by agreed action without the need for further investigation. The Appropriate Person receiving the concern will determine:

- whether an investigation is appropriate, and, if so,
    - what the scope of the investigation will be,
    - who will undertake it,
    - what third parties may need to be involved and
    - what form the investigation should take. Concerns or allegations which fall within the scope of specific procedures (for example, child protection) will normally be referred for consideration under those procedures.

Within 14 calendar days of receiving the concern, the Appropriate Person will write to the individual who raised the concern (if known), and will:

- acknowledge the concern
- indicate how the matter will be dealt with,
- tell the individual whether further investigations will take place, and
    - if not, why not, or
    - if so, who is investigating and what the individual can expect to happen next,
- give an estimate of how long it is likely to take to provide a final response, and
- tell the individual about any relevant internal or external support mechanisms.

Internal Investigation

The investigator will conduct a proportionate investigation, taking any of the following steps, as appropriate to the circumstances:

- interviews of any potential witnesses, including the individual who has raised the concern,
- interviews of anyone accused of any wrongdoing,
- requests for written information or any other evidence from any relevant person,
- reviews of any relevant documentation and evidence, and/or
- contact with any appropriate third party.

The amount of contact between the investigator considering the issue and the person who has raised the concern will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. Individuals should not expect a running commentary on the investigation and must be mindful that some matters may be confidential.

When any meeting is arranged with the individual, they will be given the right to be accompanied by a trade union or professional association representative or a work colleague who is not involved in the area of work to which the concern relates. Individuals may not be accompanied by an external person.

Records

The investigator will keep appropriate records of work and actions taken throughout an internal investigation.

Conclusion of the Investigation

The investigator will consider how best to report their findings and what (if any) corrective action they propose is taken. This may include some form of disciplinary action or third party referral.

The Appropriate Person will review the investigator's reported findings and will determine what action will be taken. The school accepts that individuals need to be assured that the matter has been properly addressed. Therefore, the Appropriate Person will provide them with a summary response to their disclosure, sharing an overview of what steps have been taken to investigate. Individuals should not expect to be given a copy of an investigator's findings. Outcomes and actions will only be shared if this is appropriate in the circumstances. Specifically, any disciplinary steps for other workers cannot be shared with the individual for confidentiality reasons.

6.2 Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified, and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the headteacher, trustees and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

7. Malicious or vexatious allegations

Colleagues are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the Trust will consider whether any disciplinary action is appropriate against the person making the allegation.

8. Escalating concerns beyond the trust

The Trust encourages colleagues to raise their concerns internally, in line with section 4 of this policy, but recognises that colleagues may feel the need to report concerns to an external body. A list of prescribed

bodies to whom colleagues can raise concerns with is included here (https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2). They include

- HM Chief Inspector of Education, Children's Services and Skills (Ofsted)
- HM Revenue & Customs
- the Comptroller and Auditor General
- the Director of the Serious Fraud Office
- the Charity Commission for England and Wales
- the Information Commissioner
- the Equality and Human Rights Commission
- the Health and Safety Executive
- the Care Quality Commission
- the Environment Agency.

The Protect advice line, linked to in section 3 of this policy, can also help colleagues when deciding whether to raise the concern to an external party.

Colleagues can also

9. Approval

This policy will be reviewed every 2 years by the Audit & Risk Committee.

10. Links with other policies

This policy links with our policies on:

- Staff grievance policy
- Complaints procedure
- Safeguarding and Child protection policy

11. Appendix A - Contact details for Whistleblowing

- **Creating Tomorrow College** (Gareth Ivett)
  - Creating Tomorrow Partnership, Iron Mountain, Floor 2, Unit 2 Symmetry Way, Symmetry Park, Kettering, NN14 1FQ
  - Tel: 01536 856470
  - Email: givett@creatingtomorrowcollege.co.uk

- **Daventry Hill School** (Vicki Bond)
  - Ashby Road, Daventry, Northamptonshire, NN11 0QE
  - Tel: 01327 703135
  - Email: v.bond@daventryhillschool.org.uk

- **Isebrook School** (Tracy Latham)
  - Eastleigh Road, Kettering, Northamptonshire, NN15 6PT
  - Tel: 01536 500030
  - Email: tlatham@isebrookschool.co.uk

- **Kings Meadow School** (Peter Georgou)
  - Manning Road, Moulton Leys, Northamptonshire, NN3 7AR
  - Tel: 01604 673730
    Email: pgeorgou@kingsmeadow.northants.sch.uk

- **The Gateway School** (Conor Renihan)
  - St Johns Road, Tiffield, Northamptonshire, NN12 8AA
  - Tel: 01604 878977
  - Email: head@thegatewayschool.co.uk

- **Wren Spinney School** (Mike Tebbutt)
  - Westover Road, Kettering, Northamptonshire, NN15 7LB
  - Tel: 01536 481939
  - Email: mtebbut@wrenspinney.co.uk

- **Chair of Trustees**
  - Creating Tomorrow Partnership, Iron Mountain, Floor 2, Unit 2 Symmetry Way, Symmetry Park, Kettering, NN14 1FQ
  - Tel: 01536 856470
  - Email: jduggan@creatingtomorrowtrust.co.uk

- **Chief Executive Officer** (Kevin Latham)
  - Creating Tomorrow Partnership, Iron Mountain, Floor 2, Unit 2 Symmetry Way, Symmetry Park, Kettering, NN14 1FQ
  - Tel: 07825915272
  - Email: klatham@creatingtomorrowtrust.co.uk

Other persons to be contacted if feel cannot raise the concern with school / college's headteacher or Chair of Trustees:

- **Chief Executive Officer** (Kevin Latham)
  - Creating Tomorrow Partnership, Iron Mountain, Floor 2, Unit 2 Symmetry Way, Symmetry Park, Kettering, NN14 1FQ
  - Tel: 07825915272
  - Email: klatham@creatingtomorrowtrust.co.uk

- **Chief Finance Officer** (Anthea Murphy)
  - Creating Tomorrow Partnership, Iron Mountain, Floor 2, Unit 2 Symmetry Way, Symmetry Park, Kettering, NN14 1FQ
  - Tel: 07825915272
  - Email: amurphy@creatingtomorrowtrust.co.uk

- **Chief Operations Officer** (Esther Bushell)
  - Creating Tomorrow Partnership, Iron Mountain, Floor 2, Unit 2 Symmetry Way, Symmetry Park, Kettering, NN14 1FQ
  - Tel: 07825915272
  - Email: ebushell@creatingtomorrowtrust.co.uk

- **Director of Education** (Jennifer Reeves)
  - Creating Tomorrow Partnership, Iron Mountain, Floor 2, Unit 2 Symmetry Way, Symmetry Park, Kettering, NN14 1FQ
  - Tel: 07393416026
  - Email: jreeves@creatingtomorrowtrust.co.uk