

# Whistleblowing Policy

This policy is effective in all Academies within the Learning without Limits Academy Trust and the Trust Central Team. Where the term 'Trust' is used in this policy, it covers all Academies and the Trust Offices.

<b>Associated Policies:</b>	
Child Protection and Safeguarding Policy	Grievance Policy
Complaints Policy	Staff Behaviour (Code of Conduct) Policy
Disciplinary Procedure	Staff Expectations Policy

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parties who may be cited in a whistleblowing disclosure (collectively referred to as employees and volunteers in this policy, where appropriate).

- 2.3. The policy has been implemented following consultation with the recognised trade unions. It has been formally adopted by the Board of Trustees.
- 2.4. This policy does not form part of any employee's contract of employment and may be amended it at any time, in consultation with recognised trade unions.

### **3. Purpose of this policy**

- 3.1. The Learning without Limits Academy Trust considers it a professional duty for employees and volunteers to make a disclosure where they are aware of or strongly suspect wrongdoing in order to maintain the integrity, high standards of professionalism and financial probity of the Trust as well as the safety and well-being of all employees, volunteers and learners within the Trust.
- 3.2. Employees and volunteers who make a disclosure ('blow the whistle') will be fully supported and protected by the Trust.
- 3.3. The Trust will treat all disclosures in a consistent and fair way.
- 3.4. Victimisation or intimidation of a whistleblower will not be tolerated in the Trust and would be considered a gross misconduct. Any perceived victimisation or intimidation of an employee or volunteer making a disclosure will be formally investigated as a potential disciplinary matter.
- 3.5. Employees making a disclosure are entitled to seek the advice and support of their Trade Union or professional association if they wish. This may be appropriate for volunteers, but each situation will be reviewed as needed.
- 3.6. Subject to the Trust's data protection obligations, employees and volunteers

## 6. Definition of Whistleblowing

6.1. Whistleblowing covers concerns made that report wrongdoing that is "in the public interest", meaning the concern must affect others, for example the general public.

Examples of whistleblowing include, but aren't limited to:

Criminal offences, such as fraud or corruption

Miscarriages of justice

Danger to health and safety

Damage to the environment

Failure to comply with any legal or professional obligation or regulatory requirements

Bribery

Breaches of financial management procedures

Negligence

Breach of Trust internal policies and procedures including the Staff Behaviour (Code of Conduct) Policy

Conduct likely to damage the reputation of the Trust or an academy

Unauthorised disclosure of confidential information

Other unethical behaviour

The deliberate covering up of any of the above.

6.2. A whistleblower is a person who raises a genuine concern relating to the above.

6.3. Not all concerns count as whistleblowing. For example, complaints that relate to personal circumstances, such as the way you have been treated at work, don't usually count as whistleblowing. If something affects you as an individual, this is likely a grievance. In these cases, you should follow the Trust Grievance Policy.

6.4. If a complaint relates to your own personal circumstances but you also have wider concerns regarding one of the examples above (e.g. a breach of internal policies), you should discuss with a senior leader at an Academy or at the Trust which route is the most appropriate.

6.5. If a concern is in relation to safeguarding and the welfare of learners within the Trust, you should consider whether the matter is better raised under the Trust or relevant Academy's Child Protection and Safeguarding Policy and in accordance with the arrangements for



measures can then be taken to preserve confidentiality. If in any doubt, you can seek advice from Protect, referred to in paragraph 6.6.

9.4. Where an anonymous complaint is received, a decision as whether to investigate will be based on:

- the seriousness of the issue raised
- the credibility of the concern
- the likelihood of confirming the allegation from other sources

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9.5. A central record of disclosures made under the Whistleblowing Policy will be kept.

9.6. As part of the application of this policy, the Trust may collect, process and store personal data in accordance with our Data Protection Policy. We will comply with the requirements of Data Protection Legislation (being the UK General Data Protection Regulation and Data Protection Act 2018) and any implementing laws, regulations and secondary legislation, as amended or updated from time to time in the collecting, holding and sharing of information in relation to our workforce. Records will be kept in accordance with our Staff

- the evidence available
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