

WHISTLEBLOWING POLICY

RESPONSIBLE DIRECTOR

Chief Executive Officer

RATIFIED BY TRUST

December 2022

REVIEW DATE

December 2024

Introduction

BCAT ('the Trust') is committed to the highest possible standards of openness, probity and accountability and encourages employees, pupils, parents and others working within its schools to raise any concerns about any aspect of work.

This procedure encourages employees and others to raise serious concerns, without fear of reprisal or victimisation, internally within the Trust or within the schools, rather than overlooking a problem or raising the matter outside.

It applies to all employees, consultants, agency workers and those contractors working on our premises – for example, cleaners, builders and drivers. It also covers suppliers and those providing services under a contract with us in their own premises. The policy also includes pupils and parents. This policy does not form part of any employee's contract of employment and we may amend it at any time

Other complaints procedures

This procedure is separate to the schools and the Trust's complaints procedures and other statutory reporting procedures. The headteachers/ Principals and the Trust's officers and directors are responsible for making employees aware of these procedures and to any other persons to whom it applies. Any investigation into allegations of potential misconduct under this procedure will not influence or be influenced by any disciplinary or redundancy procedures which already affect an individual.

Aim and scope

This procedure aims to ensure individuals are:

- encouraged to feel confident in raising serious concerns and to question and act upon their concerns;
- provided with avenues to raise concerns and receive feedback on any action taken;

- given a response to their concerns and are aware of how to pursue them if they're not satisfied; and
- reassured that they will be protected from reprisals or victimisation as a result of their coming forward.

There are separate procedures in place to enable individuals to lodge a grievance relating to their own employment including issues relating to harassment and bullying. This procedure is intended to cover concerns that fall outside the scope of other procedures. These include:

- conduct which is, has been or is likely to be an offence or breach of law (such as bribery, financial mismanagement or other criminal activity);
- conduct which is, has been or is likely to be a breach of the regulations that apply to the schools and the Trust (including health and safety policies);
- conduct which is, has been or is likely to be a breach of the schools' and the Trust's internal procedures; and
- conduct which may not, in itself, be a breach of any rules, external or internal, but which is unethical (e.g. damage to the environment)
- Conduct likely to damage the schools or Trust's reputation or financial wellbeing.
- Concerns about any aspect of service provision or the conduct of Trust or school employees or others acting on behalf of the Trust or its schools can be reported under the confidential disclosure procedure. This may be:
 - something that you feel uncomfortable about in terms of known standards, your experience or the standards you believe we subscribe to; or
 - in breach of our internal procedures; or
 - something which falls below established standards of practice; or
 - amounts to improper conduct.

A whistleblower 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 under this policy.

Confidentiality

We hope that staff will feel able to voice whistleblowing concerns openly under the policy. Completely anonymous disclosures are difficult to investigate. If you raise your concern in confidence every effort will be made not to reveal your identity. However, in certain cases it may not be possible to maintain confidentiality and we will only reveal it where necessary to those involved in investigating your concerns.

Anonymous allegations

As explained previously, whenever possible you should put your name to your allegation as concerns expressed anonymously are much harder to investigate than those that are attributed to a named individual. We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible.

Untrue allegations

Disciplinary action will only be taken against individuals who knowingly make false allegations.

How to raise concern General

Concerns can be raised verbally or in writing. A concern raised in writing should:

- set out the background and history of the concern, giving names, dates and places where possible; and
- state the reason why you are particularly concerned

If your preference is to raise a concern verbally, we will arrange a meeting with you as soon as possible to discuss your concerns. The earlier a concern is raised, the easier the schools or Trust can take action. Although you are not expected to prove beyond doubt the truth of an allegation, you need to demonstrate to the person contacted that there are sufficient grounds for your concern.

A trade union or professional association may raise a matter on behalf of an employee.

Step one: raising a concern

Whenever possible, you should raise your concern with your immediate manager or his/her manager. If this is not appropriate, you should approach the following according to the nature of the concern:

Headteacher/ Principal, Chair of Governors, CEO (Whistle Blowing Officer) or Chair of the Trust.

Step two: how the schools or Trust will respond

The action the schools or Trust will take will depend on the nature of the concern. The matters raised may:

- be investigated internally or through disciplinary or some other internal process;
- be referred to the police;
- be referred to an external regulatory body;
- form the subject of an independent inquiry; or

- results in a report which the Trust will deem confidential and will share only with persons it deems appropriate.

In order to protect individuals and the 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 existing procedures (e.g. a safeguarding issue) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for an investigation. If urgent action is required this will not be delayed pending the outcome of an investigation.

Within 10 working days the Whistleblowing Officer, will write to the complainant:

- acknowledging that the concern has been received;
- indicating how the schools or Trust proposes to deal with the matter. We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result.
- giving an estimate of how long it will take to provide a final response;
- informing the complainant if any initial enquiries have been made; and
- whether further investigations will take place and, if not, why not;
- requesting your attendance at additional meetings if necessary to provide further information

Contact

The amount of contact between the people considering the issues and you 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.

Attending meetings

When any meeting is arranged you have the right to be accompanied by a trade union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

Support

The schools and Trust will take steps to minimise any difficulties you may experience as a result of raising a concern and to ensure that Whistleblowers do not suffer any detrimental treatment as a result of raising a concern even if they turn out to be mistaken. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the schools and Trust will advise you about the procedure.

The schools and Trust will not tolerate harassment or victimization in any form (including informal pressures) and will take action to protect individuals who raise a concern in good faith.

The schools and Trust accepts that you need to be assured that concerns will be properly addressed and, subject to legal constraints, will provide information about the outcomes of any investigations.

How the matter can be taken further

This procedure is intended to provide individuals with an avenue to raise concerns within the schools or the Trust. Whilst the schools or Trust cannot guarantee the outcome you are seeking we will try to deal with your concerns fairly and in an appropriate way. By using this policy you can help us achieve that. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. If you are not satisfied and feel it is right to take the matter further the following are possible contact points:

- Protect (formerly Public Concern at Work) 020 3117 2520;
- Audit Commission 020 7828 1212;
- relevant professional bodies or regulatory organisations;
- a solicitor; and/or
- the police.

If a matter is taken outside the Trust or its schools, you must take all reasonable steps to ensure that confidential or privileged information is not disclosed.

Public interest disclosure

The Public Interest Disclosure Act 1998 gives employees two safeguards in respect of disclosures of information:

- An employee is entitled not be subjected to any detrimental treatment by virtue of having made a protected disclosure; and
- the dismissal of any School or Trust employee directly due to the individual having made such a disclosure will automatically be unfair

If you believe that you have suffered any such treatment you should contact the Whistleblowing Officer immediately.

Monitoring, evaluation and review

The Directors of the Trust will review this policy at least every two years and assess its implementation and effectiveness. The policy will be promoted and implemented throughout the Trust and its schools.

Contacts

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