



SIKH ACADEMIES TRUST  
Faith Inspired Education

# WHISTLEBLOWING POLICY

Reviewed by	All Subcommittees
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## **Introduction and purpose**

The Sikh Academies Trust (SAT) is committed to carrying out its work with honesty and integrity and expects all employees to maintain high standards of:

- openness and inclusiveness
- accountability and
- integrity.

This policy aims to:

- To encourage those working in the school to report suspected wrongdoing promptly, in the knowledge that it will be taken seriously and dealt with quickly, appropriately, consistently and fairly.
- To provide employees guidance on how to raise concerns.
- To reassure staff that they are able to raise genuine concerns made in the public interest without fear of reprisals, even if they turn out to be mistaken.

This policy has been written to comply with legislation and guidance governing the making of disclosures concerning wrongdoing in the workplace.

This procedure does not form part of any employee's contract and may be amended at any time.

## **Legislation**

The requirement to have clear whistle-blowing procedures in place is set out in the [Academies Financial 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.

## **Scope**

This policy applies to all staff employed by SAT, including directly employed central team staff, the Trustee Board (includes Directors), Executive Principal, Head of School, teachers, NQTs, school support staff, volunteers, contractors, casual and agency staff (collectively referred to as 'employees' for the purposes of this policy). This list is not exhaustive.

In this policy, the term 'teacher' refers to classroom teachers, middle and senior leaders.

## **Equality and accessibility**

SAT is mindful of the obligations under the Equality Act 2010 and this policy will be applied fairly and consistently to all staff, with reasonable adjustments made for those with qualifying disabilities as appropriate.

A copy of this policy and a copy of all relevant documents will be made available for all staff. The policy is also available in hard copy on request and can be made available in large print or other accessible formats if required.

## **Whistleblowing**

Whistleblowing means the disclosure of information which relates to suspected unlawful and/or unethical conduct. The person who makes the disclosure must reasonably believe that it is in the Public Interest for them to do so. This is also referred to as a 'Protected Disclosure'.

Examples of the types of unlawful or unethical issues covered are:

- A criminal offence;
- A miscarriage of justice;
- An act creating risk to health and safety;
- An act causing damage to the environment;
- A breach of any legal obligation;
- Financial fraud or mismanagement;
- Negligence; Conduct that is likely to damage the Employer's reputation;
- Unauthorised disclosure of confidential information;
- Concealment of, or attempt to conceal, any of the above.

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

Not all concerns about the SAT 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.

More information can be found on <https://www.gov.uk/whistleblowing> or from the whistleblowing charity, Protect <https://protect-advice.org.uk> (formerly Public Concern at Work).

## **Detriment**

Provided that this procedure is used correctly, and the employee makes the disclosure in good faith, they will not suffer any detriment as a result of reporting the wrongdoing.

## **Support and protection for employees**

SAT recognises that the reporting a concern can be a difficult decision to take, not least because of the fear of reprisal. SAT aims to encourage openness and will support employees who raise genuine concerns in good faith under this policy, even if the concern turns out to be unfounded.

'Whistleblowers' are protected by law from being treated unfairly or losing their jobs because they 'blow the whistle'.

Whistleblowers must hold a reasonable belief that the concern they are raising is in the public interest.

SAT will provide all reasonable protection for those who raise concerns made in the public interest.

SAT will be responsible for ensuring that appropriate personal support is offered both to a worker raising a concern and to any worker against whom allegations have been made under this procedure.

We will respect the employee's confidentiality as far as we possibly can but there may be times when we cannot guarantee this, for example if there has been a criminal offence, a child protection or safeguarding issue.

Any staff who threaten or retaliate against whistleblowers in any way will be subject to disciplinary procedures.

### **Anonymity**

SAT does not encourage anonymous reporting. Such reports are less powerful as it makes investigation more difficult or impossible, as we may be unable to obtain further information and/or establish if the allegation is credible. SAT therefore encourages employees to put their name to the allegation as we will respect confidentiality as far as we possibly can and provide the employee with support and protection as outlined above.

Anonymous allegations will be considered at the discretion of the Executive Principal, taking into account:

- The seriousness of the issue raised
- The credibility of the concern
- The likelihood of confirming the allegation from an attributable source
- Evidence supplied

### **When to raise a concern**

Staff should consider the examples in the definitions 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.

### **Who to report to**

Staff should report their concern to the principal. If the concern is about the principal or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to Chair of Trustees.

### **How to raise the concern**

Concerns are better submitted in writing, but may also be made in person, making it clear that it is being raised via the whistleblowing procedure. The written notification should include the background and history of the concern, including where possible:

- Names
- Dates
- Places
- Copy documents
- Why the employee is concerned about the situation

In some circumstances, the employee may ask a trade union representative to raise the matter on their behalf.

Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have sufficient evidence or other reasonable grounds to raise them.

You may wish to obtain advice from a trade union representative, the Citizen's Advice Bureau or Public Concern at Work on 020 7404 6609 and [www.pcaw.co.uk](http://www.pcaw.co.uk)

### **Stage one**

In the first instance, we hope employees will feel able to disclose the suspected wrongdoing to their line manager.

When a concern is received by the line manager they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern
- 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
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
  - The line manager should then arrange a further investigation into the matter, involving the principal, if appropriate.
  - 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

In the event that the line manager is involved in the suspected wrongdoing, the employee should proceed to stage two of this procedure.

The employee can expect a response from their line manager **within seven working days of the date the concern was received.**

### **Stage two**

If the employee does not receive a response, or if their line manager is involved in the wrongdoing, the employee should notify the Principal.

The employee can expect a response from the Principal **within seven working days of the date the concern was received.**

### **Stage Three**

If no response is forthcoming under stage 2, the employee should notify the Sikh Academies Trust (SAT) Board of Trustees.

The employee can expect a response within **seven working days of the date the concern was received.**

### **Stage Four**

The SAT encourages staff to raise their concerns internally, but recognises that staff may feel the need to report concerns to an external body.

If you do not feel your concern has been addressed adequately you may raise it with an independent body such as one of the following as appropriate:

- your trade union
- the Citizens Advice Bureau
- a relevant professional body or regulatory organisation
- a relevant voluntary organisation
- the Police
- the Local Government Ombudsman
- Equality and Human Rights Commission

A list of prescribed bodies to whom staff can raise concerns with is included [here](#).

If you wish to report the matter to someone outside of the school you can contact the Director of Children's Services, or any of the other local authority officers listed in Annex 1

The [Protect advice line](#), can also help staff when deciding whether to raise the concern to an external party.

### **Malicious or vexatious complaints**

Staff 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.

### **Safeguarding and allegations against staff**

All employees are expected to be familiar with the provisions of the Child Protection and Safeguarding Policy and the Allegations of Abuse against Staff Policy.

The procedures set down within the Allegations of Abuse against Staff Policy must be used in any case where it is suspected or alleged that a member of staff or a volunteer at the school has:

- Behaved in a way that has harmed a child, or may have harmed a child, and/or
- Possibly committed a criminal offence against or related to a child, and/or
- Behaved towards a child or children in a way that indicates they may pose a risk of harm to children, and/or
- Behaved or may have behaved in a way that indicates they may not be suitable to work with children – this includes behaviour taking place both inside and outside of school

The procedures outlined within the Child Protection and Safeguarding Policy must be followed if an employee has any concern about school practices or the behaviour of colleagues which are likely to put students at risk of abuse or other serious harm.

### **Exceptional circumstances**

In exceptional circumstances, the employee has the right to raise their concern directly with a relevant and appropriate outside body without first having followed the first three stages above. This may, however, cause damage to the school and its reputation as well as constitute a breach of the employee's duty of confidentiality towards the school. This action should only be taken in extreme circumstances and after careful thought.

In determining whether it is reasonable for you to have made a disclosure the identity of the person to whom the disclosure is made will be taken into account. Disclosures to anyone outside of the recognised bodies listed in Annex 1 may not be protected disclosures under the Act.

You have a duty to the school not to disclose confidential information. This does not prevent you from seeking independent advice at any stage or from discussing the issue with the charity Protect (previously called Public Concern at Work) on 020 3117 2520 or [www.protect-advice.org.uk](http://www.protect-advice.org.uk) in accordance with the provisions of the Public Interest Disclosure Act 1998

### **Media**

Under no circumstances should an employee approach a commercial body or the media with details of the suspected wrongdoing. SAT may consider such action to be gross misconduct.

### **Investigation and outcomes**

Once an employee has raised a concern, the SAT will carry out an initial assessment to determine the scope of any investigation. The employee will be informed of the outcome

of that assessment. Further meetings with the employee may be necessary to find out more information.

In some circumstances, it may be necessary to appoint an Investigating Officer or a team to carry out an investigation. The investigation may result in recommendations for change to prevent or minimise the risk of future wrongdoing.

The employee will be kept informed of progress and timescales as far as possible. However, the need for confidentiality may prevent certain details from being shared. The aim will be to provide reassurance that the matter has been dealt with properly.

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

### **If you are dissatisfied**

If you are unhappy with our response, then please contact the SAT Chair of Trustees by email [info@sikhacademiestrust.com](mailto:info@sikhacademiestrust.com).

While we cannot guarantee that we will respond to all matters in the way that you might wish, we will try to handle the matter fairly and properly. By using this policy, you will help us to achieve this.

### **Confidentiality**

The whistleblowing process will be treated with confidentiality. All related documentation will be stored securely and confidentially. Employees involved in investigations or proceedings must treat any related information communicated to them as confidential.

### **Record keeping**

All records and materials relating to these procedures will be kept securely for 6 months if the complaint is upheld.



## Appendix 1: Whistleblowing agencies

You can blow the whistle to an external organisation rather than your employer. There is a list of prescribed people or bodies that you can go to. Choose the correct one for your issue. A full list can be found online here:

[Whistleblowing: list of prescribed people and bodies - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/whistleblowing-list-of-prescribed-people-and-bodies)

Some of the bodies that may be relevant for schools are:

Local Authority Director of Children's Services (DCS)	<u>Slough DCS</u> Andrew Fraser 01753 875395   <a href="mailto:Andrew.fraser@slough.gov.uk">Andrew.fraser@slough.gov.uk</a> <u>Bucks DCS:</u> Mr John Macilwraith 01296 382050   <a href="mailto:john.macilwraith@buckinghamshire.gov.uk">john.macilwraith@buckinghamshire.gov.uk</a>
Local Authority Education Safeguarding Team	Slough: Jatinder Matharu <a href="mailto:jatinder.matharu@slough.gov.uk">jatinder.matharu@slough.gov.uk</a>   07714 858213  Bucks: Schools Service <a href="mailto:secure-esasduty@buckinghamshire.gov.uk">secure-esasduty@buckinghamshire.gov.uk</a> 01296 387981
LADO	Slough LADO: <a href="mailto:LADO@sloughchildrenfirst.co.uk">LADO@sloughchildrenfirst.co.uk</a>   07927 681858   01753 690906  Bucks LADO: <a href="mailto:secure-LADO@buckinghamshire.gov.uk">secure-LADO@buckinghamshire.gov.uk</a> 01296 382070
Ofsted	WBHL, Ofsted, Piccadilly Gate, Store Street, Manchester, M1 2WD   0300 123 3155   <a href="mailto:whistleblowing@ofsted.gov.uk">whistleblowing@ofsted.gov.uk</a>
Office of Qualifications and Examinations Regulation	Complaints Investigation Manager, Ofqual, Earlsdon Park, 53-55 Butts Road, Coventry, CV1 3BH   0300 303 3344 <a href="mailto:whistleblowing@ofqual.gov.uk">whistleblowing@ofqual.gov.uk</a> Online reform form: <a href="https://www.gov.uk/guidance/whistleblowing-policy">Ofqual's whistleblowing policy - GOV.UK (www.gov.uk)</a>
National Society for the Prevention of Cruelty to Children (NSPCC)	The NSPCC Whistleblowing Advice Line is for anyone with child protection concerns in the workplace. The helpline provides

	support and advice to those who feel unable to get a child protection issue addressed by their employer. It can be contacted anonymously on 0800 028 0285. <a href="#">Whistleblowing Advice Line   NSPCC</a>
Health and Safety Executive	0300 790 6787   <a href="http://www.hse.gov.uk">www.hse.gov.uk</a>
The Local Government Ombudsman	PO Box 4771, Coventry. CV4 0EH <a href="http://www.lgo.org.uk">www.lgo.org.uk</a>   0300 061 0614
Data Protection and Freedom of Information	The Office of the Information Commissioner, Wycliffe House, Water Lane, Wilmslow, SK9 5AF   0303 123 1113