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# OWLS Academy Trust

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## Whistle Blowing Policy

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Adopted by The OWLS Academy Trust on	28/11/2016 to take effect 01/01/2017
Next Review Due	

Policy developed by



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The OWLS Academy Trust is committed to the highest standards of openness, honesty and accountability. It encourages employees to raise promptly any serious concerns they may have about the activities of employees, governors or external organisations in relation to their dealings with the Academy Trust of the member schools.

This policy aims to:

- Enable employees to raise concerns and to receive feedback about the outcome of any ensuring investigation, but not the detail of the investigation nor any actions taken;
- Allow employees to take the matter further if they are dissatisfied with the response; and
- Protect employees from reprisals or victimization for “whistle blowing” made in good faith.



## Scope

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This policy covers concerns that fall outside the scope of the Grievance Policy. The employee’s concerns may be about something that:

- Is potential unlawful;
- Is against the policies of the Academy Trust or Individual member school;
- Amounts to improper conduct, bad practice, or potential fraud or corruption;
- Seems likely to cause damage or harm to a member of the public, the school or its staff;
- “Covers up” an issue.



## Confidentiality

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The identity of employees who raise concerns will be protected as far as practicable. However, any investigation may, out of necessity in some instances, reveal the source of the information, and statements made by the employee(s) who raised the issue may comprise part of the formal evidence.

Employees are encouraged to put their name to any allegations made. Concerns expressed anonymously will be considered at the discretion of the Academy Trust, taking into account:

- The seriousness of the issues raised;
- The credibility of the concern;
- The likelihood of the allegation being substantiated; and
- Untrue allegations.

If an allegation is made in good faith but is not upheld by the investigation, then no action will be taken against the employee who raised the concern. However, employees who make malicious or vexatious allegations by be subject to disciplinary action.



## Raising a Concern

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Employees should normally raise concerns with their Head Teacher / Head of School. This will depend on the nature of the concern, the seriousness and sensitivity of the issue, and who is allegedly involved.

Employees who feel unable to approach their Head Teacher / Head of School may contact the Executive Head Teacher, a member of their school’s Local Governing Body or a member of the board of the Academy

Trust. Trade Union members may wish to contact their union representative for assistance or advice on raising an issue.

Concerns may be raised orally or in writing. It is important that the employee provide as much detail as possible, including specific names, dates and places where known.

Employees who raise an issue in good faith under this policy are protected, by the Public Interest Disclosure Act 1998, from any repercussions on their present position or future career. The Act does not protect anyone who is acting maliciously, making false allegations or who is seeking personal gain.

Where concerns are of a serious nature employees have the right to raise issues directly with the Police or other relevant agency as they see fit.

Where an employee is concerned that the Academy Trust is acting or proposing to act unreasonably or has failed to discharge its duties, this can be raised with the Secretary of State for Education.



## **Academy Response**

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Any action taken will depend on the nature of the concern. For example, the matter may:

- Be investigated internally;
- Be referred to the Police;
- Be referred to the external auditor; or
- Form the subject of an independent inquiry.

To protect individuals, the Academy Trust and the member schools, initial enquiries will be made to determine whether an investigation is appropriate and what form it should take. Allegations which fall within the scope of specific procedures (e.g. child protection or unlawful discrimination issues) will normally be dealt with under those procedures.

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

Within 10 working days of a concern being received, the person with whom the issue was raised will write to the employee to:

- Acknowledge that the concern has been raised;
- Indicate how it is proposed to deal with the matter;
- Advise whether further investigations will take place and if not why not; and
- Confirm, where possible, an estimate of how long it will take to provide a final response.

If necessary, further information will be sought from the employee regarding the concern. The employee will have the right to be accompanied at any meetings by a Trade Union representative or work colleague.



## **Outcome of Investigation**

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The employee will be informed about the outcome of any investigation, but not the detail of the investigation or any action taken against another employee (e.g. disciplinary action).

If the employee is not satisfied with the outcome of the investigation and wishes to take the matter outside the Academy Trust, they may contact:

- For safeguarding issues only, Leicestershire County Council's Allegations Manager (LADO) (tel: 0116 305 7597)
- Their local Councillor (for employees who live in the area of the Academy Trust);
- Relevant professional bodies or regulatory organisations;
- The police;
- The whistleblowing charity, Public Concern at Work (tel: 0207 404 6609)
- The Audit Commission (tel: 0845 052 2646)

When taking the matter outside the Academy Trust, the employee must ensure that they do not disclose confidential information which is not relevant to the issue.



## **Responsible Officer**

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The Chair of the Academy Trust has overall responsibility for the maintenance and operation of this policy. He/she must maintain a record of concerns raised and their outcomes and will report, as necessary, to the Trustees.