



**WHISTLEBLOWING POLICY\***  
**(for the Trust and its schools)**

**October 2021**

**Version 5**

# Whistleblowing Policy

## 1. Introduction

- 1.1 The Trustees of North Cornwall Learning Trust (NCLT) is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees who have serious concerns about any aspect of the trust's work to come forward and voice those concerns.
- 1.2 This procedure makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage. It is intended to encourage and enable employees to raise serious problems within the Trust or any of its schools rather than overlooking a problem or "blowing the whistle" outside.
- 1.3 This procedure has been discussed with the relevant trade unions and professional organisations and has their support.
- 1.4 The Board of Trustees will appoint a Trustee with specific responsibility for this procedure, as will the schools. Please see appendix 1.
- 1.5 Whistleblowing is not the same as grievance. Please see section 10.

## 2 Aims and scope of this procedure

### 2.1 This procedure aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice
- provide avenues for you to raise those concerns and receive feedback on any action taken
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied
- reassure you that you will be protected from possible victimisation if you have a reasonable belief that you have made any disclosure in good faith.

### 2.2 The procedure is intended to supplement, rather than to replace, the existing complaints, disciplinary and grievance procedures as laid down elsewhere. It is intended to cover serious concerns that fall outside the scope of other procedures and may relate to something which:

- is against the Trust/School's policies and procedures, or
- falls below established standards of practice, or
- amounts to improper conduct, including something you believe may be:
  - against the law
  - a Health and Safety risk
  - damaging to the environment
  - misuse of public money
  - corruption or unethical conduct
  - abuse of clients or service users

## 3 Confidentiality

- 3.1 All concerns will be treated in confidence and every effort will be made to protect your identity if you so wish. At the appropriate time, however, you may need to provide a statement or act as

a witness and will be expected to co-operate fully with the investigation and disclose all relevant information.

#### **4 Anonymous allegations**

- 4.1 This procedure encourages you to put your name to your concern as anonymous allegations may often be difficult to substantiate/prove.
- 4.2 Concerns expressed anonymously are much less powerful but will be investigated unless the Whistleblowing Governor/Trustee in consultation with the Chair of Governors/Chair of Trustees agrees there is insufficient evidence to proceed.

#### **5 Untrue allegations**

- 5.1 If you raise a concern in good faith, but it is not subsequently confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

#### **6 How to raise a concern**

- 6.1 As a first step you should normally raise concerns with your Head of Dept/line manager and inform him/her you are using this procedure. However, the Governors/Trustees recognise that on occasion this may not be appropriate.
- 6.2 A number of alternative contacts may be appropriate depending on the nature of the concern. For example, you could approach a more senior manager in the school such as the Headteacher or Deputy Headteacher or any school Governor. It may be appropriate to contact a Trustee or Trust Member with your concerns. Concerns may be raised verbally or in writing.
- 6.3 Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have reasonable grounds to raise them.
- 6.4 Where employees fail to report their concerns they may become themselves implicated and consequently the Governors/Trustees may treat failure by an employee to report such matters as a serious matter which could lead to disciplinary action.
- 6.5 You may wish to obtain assistance in putting forward your concern from a Trade Union representative or a colleague. You may choose to be represented by a Trade Union representative or colleague at any meetings which are required.

#### **7 How the governing body/Board of Trustees will respond**

- 7.1 In order to protect individuals and the Governors/Trustees 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 specific procedures (for example Child Protection issues) will normally be referred for consideration under those procedures.
- 7.2 The person with whom you have raised your concern will inform the relevant Governor/Trustee of the facts. The Governor/Trustee will write to you, within ten working days with the following:
  - acknowledgement that the concern has been received
  - an indication of how the concern will be dealt with
  - an estimate of how long it will take to provide a full response
  - whether any initial enquiries have been made

- whether further investigations will take place, and if not, why not.

7.3 The Governors/Trustee will inform you in writing of the outcome of any investigation, or any action taken, subject to the constraints of confidentiality and the law.

## **8 The Responsible Officer**

8.1 The School's Monitoring Governor has overall responsibility for the maintenance and operation of this policy within the school. That Governor will maintain a record of concerns raised and the outcomes and will report as necessary to the Governing body. The recording and reporting procedure will be in a form which ensures your confidentiality. The same applies at Trust Board level.

## **9 How the matter can be taken further**

9.1 This procedure is intended to provide you with a route within the School/Trust to raise concerns but 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:







- the ESFA
- your Trade Union
- your local Citizens Advice Bureau
- a relevant professional body or regulatory organisation
- a relevant voluntary organisation
- the police
- the Local Government Ombudsman

9.2 You have a duty to the School not to disclose confidential information. This does not prevent you from raising concerns with an independent body referred to above, or Public Concern at Work (telephone number 020 7404 6609) or more information is available at <http://www.pcaw.co.uk/>, a registered charity which advises on serious malpractice within the workplace in accordance with the provisions of the Public Interest Disclosure Act 1998.

## **10 Whistleblowing or grievance?**

10.1 A grievance occurs when an employee has a problem, complaint or concern relating to their employment. This is in contrast to whistleblowing which is to do with public concern at work where a worker tells their employer, regulator, customers, police or the media about a dangerous or illegal activity that is happening in the workplace.

Those responsible for whistleblowing for 2021-22 are:

	Trustee for the NCTL	Ruth Krolik
	Camelford School Governor	Liz Biscombe
	Otterham School Governor	Rachael Quinn
	Sir James Smith School Governor	Aaron Scawn
	St Breward Governor	Dawn Hamilton-Barrett
	St Teath Governor	Emma Davoust Zangari

*If you would like this in a different format please contact the school*

Version and Date		Action/Notes
1.0	October 2018	Approved by the Trust Board October 2018. Author: Jon Lawrence – Link Governors added
2.0	April 2019	SJS Link Governor amended
3.0	October 2019	Reviewed and approved by the Trust Board October 2019. Author: Jon Lawrence
4.0	October 2020	Reviewed and amended – Phil Banks
5.0	October 2021	Reviewed and amended – Phil Banks
5.1	October 2021	CPS Link Governor amended
5.2	October 2021	Otterham and St Breward Governors added

Policy Reviewed:	October 2021
Next Review:	Autumn Term 2022