

# Whistleblowing Policy – Corvus Learning Trust



Document ID:	CLT TP8
Revision No.:	1.0
Trustees Approved Date: via GVO	15 <sup>th</sup> January 2022
Published Date:	18 <sup>th</sup> January 2022
Date of Next Review:	January 2023 Annual
Statutory/Non-Statutory:	Statutory
Public/Internal:	Public
Applies to:	The Corvus Learning Trust as a whole and to all schools in the Trust

**Policy Statement:**

This Corvus Learning Trust (CLT) Policy applies to the CLT as a whole and to all the schools and service units in the Trust. The CLT, including all the schools and services within the Trust, their Trustees, Governors and staff, must abide by this CLT Whistleblowing Policy

**Purpose:**

To ensure CLT as a whole and to all the schools and service units in the Trust are compliant with Whistleblowing legislation and procedures

**Responsibility for Approval:**

Board of Trustees

**Responsibility for Updating:**

Board of Trustees

**Related Policies/Guidance:**

CLT P1 – Safeguarding and Child Protection Policy  
CLT S10 - Whistleblowing Policy for CLT Schools

This policy has been prepared in collaboration with Bracknell Forest Council

## 1. Introduction

- 1.1. The Board of Trustees (The Board) is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we encourage employees and others with serious concerns about any aspect of the Trust's work falling within paragraph 2.3 to come forward and voice those concerns if such concerns ("Whistleblowing") are in the public interest.
- 1.2. Such concerns will not be in the public interest if it is of a personal nature for example, if it relates to an individual's grievance, or concerns about a person's terms and conditions of his employment or work within the Trust.
- 1.3. Employees are often the first to realise that there may be something seriously wrong within a Trust. However, they may not feel able to express their concerns because they believe that speaking up would be disloyal to their colleagues or to the Trust. They may also fear harassment or victimisation. In these circumstances, it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 1.4. Although in most cases staff with concerns should share those concerns with their immediate manager, it is recognised that certain cases will have to proceed on a confidential basis. This Policy makes it clear that staff can do so without fear of reprisals. This Policy is intended to encourage and enable those to whom the procedure is available to raise serious concerns within the Trust rather than overlooking a problem or blowing the whistle outside. The procedure is available to:
  - Employees (and agency employees working for the Trust)
  - Casual workers
  - Organisations providing goods and services to the Trust, or carrying out works for the Trust and their staff
- 1.5. The Chief Executive Officer (CEO) has overall responsibility for the maintenance and operation of this Policy.
- 1.6. The Trust processes any personal data collected during this process in accordance with its data protection policy. Further details can be found in the Privacy Notice on the CLT website. Any data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of managing this process.

## 2. Aims and Scope of this Policy

- 2.1. This Policy aims to
  - provide avenues for you to raise concerns and receive feedback on any action taken
  - allow you to take the matter further if you are dissatisfied with the Trust's response and
  - reassure you that you will be protected from reprisals or victimisation for whistleblowing in good faith
- 2.2. For employees of the Trust, there are existing procedures in place to enable you to lodge a grievance relating to your own employment. This Policy is intended to cover concerns that fall outside the scope of those procedures.
- 2.3. That concern may be about something that:
  - is unlawful; or is against the school's financial regulations
  - falls below established standards

- amounts to impropriety (for example, where a decision is proposed to be taken based on personal friendship rather than on merit)
- places the health or safety of any person at risk
- has damaged the environment or is or will be likely to damage the environment
- shows that a matter concerning any of the above has been is or is likely to be deliberately concealed (i.e. that there is, has been or will be a “cover up”)

2.4. Examples of the types of concern which may legitimately fall within the scope of this Policy, are:

- the incurring of expenditure without proper authorisation from the Board
- a decision being made (e.g. appointment to a post or award of a contract) based on personal or business friendship rather than on merit
- the award of a Trust contract in breach of procurement processes
- the activities of a Trust contractor causing damage to the environment

### **3. Safeguards**

#### **3.1. Harassment or Victimisation**

The Trust recognises that the decision to report a concern can be a difficult one to make, not least, because of the fear of reprisal from those responsible for the alleged malpractice. The Board will not tolerate harassment or victimisation and will act to protect you when you raise a concern in good faith. This does not mean that if you are already the subject of disciplinary or redundancy procedures that those procedures will be halted as a result of your whistleblowing.

#### **3.2. Confidentiality**

The Trust will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. It should be appreciated that if an investigation is conducted as a result of whistleblowing, the investigation may reveal the source of the information and a statement by you may be required as part of the evidence.

#### **3.3. Anonymous Allegations**

The Trust encourages you to put your name to your allegation. Concerns expressed anonymously are much less powerful, but they may be considered at the discretion of the CEO. In exercising the discretion, the factors to be considered will include:

- the seriousness of the issues raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources

Allegations which do not appear to be motivated by personal animosity and which, if true, would have serious implications for the school are more likely to be considered, even though made anonymously.

#### **3.4. Untrue Allegations**

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you.

#### **4. How to Raise a Concern**

- 4.1. As a first step, you should normally raise concerns with your immediate Line Manager (LM). The LM should inform the CEO of the disclosure and an appropriate course of action will be agreed. If this is not a suitable option (for example because the issue may implicate the LM) the concern should be raised directly with the CEO.
- 4.2. If an employee's concern is about the CEO, this should be raised with the Chair of the Trustees.
- 4.3. Matters should be dealt with internally. If you do not feel able to raise them internally, or if they have been raised internally but have not been addressed, please see Section six.
- 4.4. Concerns are better raised in writing. If the concern is expressed in writing you should set out the background and history of the concern, giving names, dates and places (if known) to help establish the truth of the complaint and the reason why you are particularly concerned about the situation.
- 4.5. In order to ensure the confidentiality of your expression of concern it is suggested that you send your letter in a sealed envelope addressed to the LM/CEO and clearly mark it  
"Strictly Private and Confidential - To be opened by Addressee Only".  
You need not sign or give your name although, as advised under item 3.3, in the section titled "Anonymous Allegations", if you do not do so the CEO may exercise his/her discretion not to investigate an anonymous complaint.
- 4.6. It is a serious disciplinary offence for any person to seek to prevent a communication of concern reaching the CEO or to impede any investigation which he/she or anyone on his/her behalf may make.
- 4.7. The earlier you express the concern, the easier it is to act.
- 4.8. Although you are not expected to prove the truth of an allegation, you will need to demonstrate there are enough grounds for your concern.
- 4.9. You may invite your Trade Union or professional association or a third party to raise a matter on your behalf.

#### **5. How the Trust will Respond**

- 5.1. The action taken by the Trust will depend on the nature of the concern. The matters raised may:
  - be investigated internally
  - be referred to the Police
  - be referred to the external Auditor; and/or
  - form the subject of an independent inquiry
- 5.2. In order to protect individuals and the Trust, 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 or discrimination issues) will normally be referred for consideration under those procedures.
- 5.3. Some concerns may be resolved by agreed action without the need for investigation.

- 5.4. The CEO will write to you, wherever reasonably practicable or within ten working days of the concern being received:
- acknowledging that the concern has been received
  - advising whether the matter is to be investigated further and if so what the nature of the investigation will be
  - giving an estimate of how long the Trust will take to provide a final response
  - telling you whether any initial enquiries have been made, and
  - telling you whether further investigations will take place, and if not, why not.
- 5.5. 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 from you.
- 5.6. When any meeting is arranged, you have the right, if you so wish, to be accompanied by a Trade Union or professional association representative or a work colleague who is not involved in the area of work to which the concern relates.
- 5.7. If you should become involved in further investigations or procedures (e.g. disciplinary proceedings or a criminal trial) as a result of using this Policy, the Trust will give you every proper support and assistance. The Trust is concerned to ensure that no one using this Policy is disadvantaged or unfairly treated.
- 5.8. The Trust accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the outcomes of any investigations.

## **6. How the Matter can be Taken Further**

- 6.1. This Policy is intended to provide you with an avenue to raise concerns within the Trust. The Trust hopes you will be satisfied that this Policy is a satisfactory way of dealing with concerns. If you are not, and if you feel it is right to take the matter outside the Trust, the following are possible contact points:
- the external auditor
  - relevant professional bodies or regulatory organisations (including the ombudsman)
  - your solicitor
  - the police
  - Protect (an independent registered charity who can give advice)

## **7. Local Safeguarding Board**

- 7.1. In the event of a concern arising which impacts on the ability of the employer to safeguard and promote the welfare of children and young people and if:
- all internal processes and procedures have been exhausted: and/or
  - you believe the employer's ability to safeguard children is compromised:
  - you are entitled to refer the concern to the Local Safeguarding Board

Details of this procedure will be available on:

<https://bracknellforestsafeguarding.org.uk/>

OR

<https://www.berkshirewestsafeguardingchildrenpartnership.org.uk/scp>

The disclosure of confidential information would normally constitute a grave disciplinary offence which could result in dismissal or other disciplinary action. Accordingly, if you do take the matter outside the Trust you need to ensure that either no confidential information is disclosed or that there are wholly exceptional circumstances which the Trust would consider justified the disclosure.