

Whistleblowing Policy

Version 1.0	Version 2.0	Version 3.0	Version 4.0
10.10.2017	27.06.2019	17.09.2020	09.09.2021
Review cycle: annual			

Statement

The Learning Village Academy Trust is committed to the highest level of honesty and integrity and expects all staff to maintain high standards. A culture of openness and accountability is essential in order to prevent serious situations occurring but if they do, it is important to have a rigorous process for addressing concerns.

The Whistleblowing Policy is intended to cover genuine concerns that are not covered by other procedures and which you think should be looked into in the public interest.

Objectives

- To provide avenues for you to raise concerns and receive feedback on any action taken.
- To allow you to take the matter further if you are dissatisfied with the response.
- Reassure you that you will be protected from reprisals or victimisation from whistleblowing in good faith.

Context

The Trust Board of The Learning Village Academy Trust is committed to the highest standards of openness, probity and accountability. In line with that commitment, we encourage employees who have serious concerns about any aspect of The Learning Village Academy Trust to come forward and voice those concerns.

Legal Position

The policy provides a means for you to raise a concern under the Public Interest Disclosure Act 1998, which provides you with a certain level of legal protection if you wish to raise legitimate concerns.

Legal Framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

Public Interest Disclosure Act 1998
Employment Rights Act 1996
Academy trust handbook 2021
Keeping children safe in education 2021
GOV.UK (2012) 'Whistleblowing for employees'
Sir Robert Francis (2015) 'Freedom to speak up report'

This policy operates in conjunction with the following policies:

Records Retention Procedure
Data Protection Policy

Definitions, Roles, Responsibilities and Procedures

Appendix A provides detailed guidance on The Learning Village Academy Trust Whistleblowing Policy including:

- Introduction
- Aims and Scopes of the Policy
- Safeguards
- How to Raise a Concern
- How The Learning Village Academy Trust will Respond
- How the matter can be taken further

Evaluation

This policy will be evaluated every three years by the Trust Board to ensure it is still fit for purpose. Circumstances may require more frequent modifications.

Appendix A: Whistleblowing Policy

Introduction

As an employee or a trustee you are often the first to realise that there may be something seriously wrong within The Learning Village Academy Trust (The Trust). However, you may not express your concerns because you feel that speaking up would be disloyal to colleagues or The Trust. You may also fear harassment or victimisation, and think it may be easier to ignore the concern rather than report it.

The Learning Village Academy Trust is committed to the highest standards of openness, probity and accountability. In line with that commitment, we encourage employees and trustees, who have serious concerns about any aspect of The Trust's work, to come forward and voice those concerns.

It is recognised that certain cases will have to proceed on a confidential basis. This policy document makes it clear that staff can do so without fear of reprisals. This Whistleblowing Policy is intended to encourage and enable staff and trustees, to raise serious concerns with The Learning Village Academy Trust rather than overlooking a problem or discussing it externally.

In addition, the policy provides a means for you to raise a concern under the Public Interest Disclosure Act 1998, which provides you with a certain level of legal protection if you wish to raise legitimate concerns.

The Chief Executive Officer has overall responsibility for:

- maintaining and operating the policy
- annual review of the policy and ensuring that it is published on the trust's website
- annual report on the effectiveness of the policy
- approving amendments to the policy
- promoting the policy periodically
- maintaining a record of concerns raised and the outcomes (but in a form that does not endanger your confidentiality) and will report as necessary to The Trust Board

Aim and Scope of the Policy

The aim of this policy is 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.

This Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures, although The Learning Village Academy Trust reserves the right to determine which procedure is appropriate.

Concerns to be reported under this policy may relate to something that:

- is unlawful
- is against the Trust's Policies, Procedures or rules;
- falls below established standards or practice; or
- amounts to improper conduct.

Safeguards

Harassment or Victimisation

The Learning Village Academy 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 malpractice. The Learning Village Academy Trust will not tolerate harassment or victimisation and will take action to protect you when you raise a concern in good faith. This does not mean that if you are already the subject of procedures such as disciplinary, capability, grievance or managing attendance, that those procedures will be halted as a result of your whistleblowing. Where feasible, you will be contacted when your concern has been investigated to ascertain whether you have suffered any detriment as a result of your whistleblowing. If at any time, either during or after the investigation, you feel that you have suffered any detriment as a result of your whistleblowing you should contact the Chair of the Trust Board.

Confidentiality

The Learning Village Academy Trust treats the details of all whistleblowers in confidence and will do its best not to divulge your identity. However, it must be appreciated that the investigation process may reveal the source of the information without us revealing your identity directly, and a statement by you may be required as part of the evidence.

Anonymous Allegations

Allegations can be made anonymously. However, this policy encourages you to put your name to your allegation, as concerns expressed anonymously are often much more difficult to investigate. For example, we may need to contact you to obtain further information or verify the details you have already given us. Anonymous allegations will be considered wherever possible at the discretion of The Learning Village Academy Trust.

The factors to be taken into account when determining whether an investigation in such a case can proceed would include:

- the seriousness of the issues raised
- the creditability of the concern
- the likelihood of confirming the allegation from other, attributable sources

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, appropriate action may be taken against you.

Procedure: How to Raise a Concern

The earlier you express the concern, the easier it is to take action.

When raising concerns, individuals will express them in writing to the headteacher. If an individual is raising a concern about the headteacher, they should express their concerns in writing to the chair of trustees. Where this is the case, the chair of trustees will take on the headteacher's duties.

For example, if you believe that management is involved, you should contact the Chief Executive Officer or the Chair of the Trust Board in writing. You may invite your trade union or professional association to raise a matter on your behalf. As a member of the public, please contact the Chair of the Trust Board in writing.

When individuals raise their concern, they will include the following information as far as possible:

- The background and history of the concern
- Any relevant names, dates and places
- The reasons for the concern

The school encourages individuals to let their identity be known when they raise concerns, as anonymous concerns can be challenging to investigate.

If a member of staff feels they should report a concern to the ESFA, they should use the online contact form.

https://form.education.gov.uk/en/AchieveForms/?form_uri=sandbox-publish://AF-Process-f1453496-7d8a-463f-9f33-1da2ac47ed76/AF-Stage-1e64d4cc-25fb-499a-a8d7-74e98203ac00/definition.json&redirectlink=%2Fen&cancelRedirectLink=%2Fenm

If a member of staff feels like they are unable to raise a safeguarding-related concern with the school, they are able to contact the NSPCC Whistleblowing Helpline on 0800 028 0285 or the LADO.

The Learning Village Academy Trust will respond to a written concern as follows:

The action taken by The Learning Village Academy Trust will depend on the nature of the concern. The matters raised may:

- be investigated internally (this is the most likely option)
- be referred to the Police
- be referred to the external auditor
- be referred to the DfE
- form the subject of an independent inquiry
- or any combination of the above

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 that fall within the scope of specific procedures (for example, child protection or discrimination issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation. Within ten working days of a concern being received, where appropriate, the Headteacher or Chair of Trustees will write to you:

- acknowledging that the concern has been received within 10 days of receipt
- indicating how it proposes to deal with the matter
- telling you whether any initial enquiries have been made; and
- telling you whether further investigations will take place and, if not, why not.

The amount of contact 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.

When any meeting is arranged, you have the right, if you wish, to be accompanied by a union or professional association representative or a friend who is not involved in the area of work to which the concern relates. The Learning Village Academy Trust will take steps to minimise any difficulties that you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, The Learning Village Academy Trust will advise you about the procedure. The Learning Village Academy Trust acknowledges the need to provide you with assurance that the matter has been properly addressed. Thus, subject to legal

constraints, you will receive appropriate information about the extent and outcomes of any investigations.

How the Matter can be Taken Further

This policy is intended to provide you with an avenue to raise concerns within The Learning Village Academy Trust. If you are not satisfied, and if you feel it is right to take the matter further, the following are possible contact points.

- Relevant professional bodies or regulatory Organisations
- Ofsted's whistleblowing hotline is: 0300 123 3155.
- DfE (Department for Education)
- Awarding Bodies
- The Police
- Individuals who would like to seek professional and confidential advice should contact Protect, a registered charity that advises on whistleblowing queries. The Protect website can be accessed here (www.protect-advice.org.uk), or they can be contacted on 020 31172520.

If you do take the matter outside The Learning Village Academy Trust, you will need to ensure that you do not disclose confidential information or that disclosure would be privileged.

