



Warrington Primary Academy Trust

Whistleblowing Policy

Ratified: 10 July 2023

Next Review Date: July 2025

Policy Responsibilities and Review

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| Policy type: | Trust Wide |
| Issue number: | V4 |
| Guidance: | This policy uses guidance from the ESFA and DfE |
| Committee responsible: | Audit Committee |
| Related policies: | <ul style="list-style-type: none"> • Complaints Procedure • Grievance Management Policy • Allegations of Abuse Against Staff • Child Protection and Safeguarding Policy |
| Chair of Trustees signature: | |
| Changes in latest version: | Referring to employees, contractors and agency staff working in WPAT sites as 'workers'. |
| Review frequency: | Biennially |

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1. Introduction

Warrington Primary Academy Trust (WPAT) is committed to the highest possible standards of openness, probity and accountability and we encourage employees and others working with us to raise any concerns about any aspect of our work to come forward and voice those concerns. In some instances, concerns may need to be expressed on a confidential basis.

This procedure encourages workers to raise serious concerns, without fear of reprisal or victimisation, internally within WPAT academies rather than over-looking a problem or raising the matter outside.

This procedure applies to all employees, agency workers and those contractors working on the premises of WPAT academies, for example, cleaners, builders and catering staff. It also covers suppliers and those providing services under a contract with WPAT or one or more of its academies.

Any investigation into allegations of potential malpractice under this procedure will not influence or be influenced by any disciplinary or redundancy procedures that already affect an individual.

2. Aims and Scope

This procedure aims to ensure individuals are:

- Encouraged to feel confident in raising serious concerns and to question and act upon concerns about practice
- Provided with avenues to raise concerns and receive feedback on any action taken
- Given a response to their concerns and are aware of how to pursue them if not satisfied
- Reassured that they will be protected from reprisals or victimisation if any disclosure has been made in good faith

There are existing procedures in place to enable individuals to lodge a grievance relating to their own employment including issues relating to harassment and bullying. This Whistleblowing Policy is intended to cover concerns that fall outside the scope of other procedures.

These include:

- Conduct which is, has been, or is likely to be an offence or breach of the law.
- Conduct that has occurred, is occurring, or is likely to occur, which associates WPAT or one of its academies with a failure to comply with a legal obligation. For example, unauthorised use of public funds, possible fraud and corruption, sexual or physical abuse of individuals, discrimination of any kind, profligate/frivolous expenditure or use of resources, and/or any other conduct deemed to be unethical.
- Disclosures related to past, current or likely miscarriages of justice.
- Past, current or likely health and safety risks, including risks to students, workers and/or members of the public (see below).
- Past, current or likely actions deemed likely to damage the environment unwontedly.

Concerns about any aspect of service provision or the conduct of WPAT officers, worker representatives and/or others acting on behalf of WPAT or one of its academies, can be

reported under section 6 below.

3. Confidentiality

All concerns raised under this policy will be treated in confidence and every effort will be made not to reveal the identities of those who invoke this policy if this is their wish. However, in certain cases it may not be possible to maintain confidentiality, particularly if other agencies become involved.

4. Anonymous Allegations

Wherever possible, persons invoking this policy should do so openly, as concerns expressed anonymously are less powerful than those that are attributed to a named individual. However, anonymous allegations will be considered and investigated at the discretion of the CEO of WPAT and his/her officers.

In exercising this discretion, factors to be taken into account would include:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood that the allegation can be confirmed/denied by application to attributable sources

5. Untrue Allegations

Where an allegation is made in good faith but is not subsequently confirmed by an investigation, no action will be taken. Disciplinary action will only be taken under the terms of this policy against individuals who knowingly make false, malicious or vexatious allegations.

6. How to Raise a Concern

General

A concern may be raised verbally or in writing. A trade union or professional association may raise a matter on behalf of a worker. Those raising a concern should:

- Describe the context and history of the concern, giving names, dates and places where possible. (The earlier a concern is raised the easier it is to take action.)
- Outline the reason/s why the person/s raising the concern is/are motivated to do so.
- Demonstrate as far as is possible that there are sufficient grounds for raising the concern, although it is not expected that incontrovertible proof will be furnished.

6:1 Raising a Concern

Wherever possible, you should in the first instance raise your concern with your immediate line manager. If this is not appropriate for reason of the matter to be raised, you should approach the Headteacher of the relevant academy. If the matter to be raised has to do with the Headteacher, the matter should be brought to the attention of the CEO of WPAT through info@wpat.uk.

6:2 The Response

The action taken in response to your raising a concern will depend on the nature of that concern. Matters raised under this policy may:

- Be investigated internally (if relevant, according to the terms of a disciplinary or other stipulated internal process) by:
- Members of the management team and/or members of the Local Governing Committee of the relevant academy
- The CEO of WPAT and his/her officers
- Trustees of WPAT
- Be referred to the Police
- Be referred to the Trust's External Legal Team – Browne Jacobson
- Be the subject of an independent inquiry

In order to protect individuals and WPAT, 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 [e.g. 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. If urgent action is required this will be taken before any investigation is conducted.

Within ten school working days, the responsible person will write to you:

- Acknowledging that the concern has been received
- Indicating how WPAT proposes to deal with the matter
- Giving an estimate (if the matter is the subject of an ongoing investigation) of how long it will take to provide a final response
- Informing you if any initial enquiries have been made
- Informing you whether further investigations will take place and, if not, why not

6:3 Contact

The amount of contact between the officers considering the issues and yourself will depend on the nature of the matter raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought.

6:4 Attending Meetings

When you are invited to attend a meeting, you have the right to be accompanied by a trade union representative or a workplace colleague who is not involved in the area of work to which the concern relates.

6:5 Support

- WPAT will take steps to minimise any difficulties you may experience as a result of raising a concern. (For instance, if you are required to give evidence in criminal or disciplinary proceedings, WPAT will advise you or arrange for you to have relevant professional advice.)
- WPAT will not tolerate harassment or victimisation (including informal pressures) and

will take action to protect individuals who raise a concern in good faith.

- WPAT accepts that you need to be assured that concerns will be properly addressed and, subject to legal constraints, will provide you with information about the outcomes of any investigations.

7. How the Matter may be Taken Further if Deemed Necessary

The procedure outlined above is intended to provide individuals with a means to raise concerns within WPAT academies and to resolve them satisfactorily. However, if you are not satisfied, and feel it is right that you take the matter further, the following contacts may offer advice:

A relevant professional body or regulatory organization. Warrington Borough Council Human Resource Team, Moore and Smalley Accountants/Auditors and Browne Jacobson Solicitors currently work with WPAT.

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| Public Concern at Work | telephone | 02074 046609 |
| | email | whistle@pcaw.org.uk |
| | website | http://www.pcaw.org.uk |
| Audit Commission | telephone | 03034 448330 |
| | email | public-enquiries@audit-commission.gsi.gov.uk |
| | website | http://www.audit-commission.gov.uk |

The Police

If a matter is taken outside WPAT, you must take all reasonable steps to ensure that confidential or privileged information is not disclosed. If in doubt, apply for advice concerning disclosure to the Headteacher of the relevant academy in the first instance; if this is not appropriate given the nature of the concern, apply in the second instance to the CEO of WPAT and thereafter to the Chair of WPAT Board of Trustees.

8. Public Interest Disclosure

The Public Interest Disclosure Act 1998 gives employees two safeguards in respect of disclosures of information:

- A worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by his employer done on the ground that the worker has made a protected disclosure (Section 47B).
- An employee who is dismissed shall be regarded for the purposes of this part (of the Act) as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that the employee made a protected disclosure (Section 103A).