

Whistleblowing Policy

1. Whistleblowing & Confidentiality Policy

We are committed to conducting our service provision with honesty and integrity, and we expect you all to maintain high standards. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.

The aims of this policy are:

- (a) To encourage you to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected;
- (b) To provide you with guidance as to how to raise those concerns;
- (c) To reassure you that you should be able to raise genuine concerns in good faith without fear of reprisals, even if they turn out to be mistaken.

This policy takes account of the Whistleblowing Arrangements Code of Practice issued by the British Standards Institute and Public Concern at Work.

This policy and procedure applies to all Trust staff unless otherwise indicated. It does **not** form part of the terms of your contract with us, which are provided to you separately.

What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. This may include:

- (a) criminal activity;
- (b) miscarriages of justice;
- (c) danger to health and safety;
- (d) damage to the environment;
- (e) failure to comply with any legal or professional obligation or regulatory requirements;
- (f) financial fraud or mismanagement;
- (g) negligence;
- (h) breach of our internal policies and procedures;
- (i) conduct likely to damage our reputation;
- (j) unauthorised disclosure of confidential information;

- (k) the deliberate concealment of any of the above matters.
- (l) something that makes you feel uncomfortable in terms of known standards;
- (m) something not in keeping with the school's regulations and policies;
- (n) something that falls below established standards of practice; or
- (o) improper behaviour

A **whistleblower** is a person who raises a genuine concern in good faith relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a **whistleblowing concern**) you should report it under this policy.

This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Procedure or Anti-Harassment and Bullying Policy as appropriate.

If you are uncertain whether something is within the scope of this policy, you should seek advice from the Whistleblowing Officer.

Raising a whistleblowing concern

We hope that in many cases you will be able to raise any concerns with the Whistleblowing Officer (headteacher). You may tell them in person or put the matter in writing if you prefer. The contact details for the Whistleblowing Officer are set out at the end of this policy.

They will arrange a meeting with you as soon as possible to discuss your concern. You may bring a colleague or union representative to any meetings under this policy. Your companion must respect the confidentiality of your disclosure and any subsequent investigation.

They will take down a written summary of your concern and provide you with a copy after the meeting. We will also aim to give you an indication of how we propose to deal with the matter.

Any concerns relating to the Whistleblowing Officer (head teacher) must be directed to the chair of governors or CEO of the FHT for investigation and action.

Any concerns relating to the CEO of FHT, should be directed to the Chair of Trustees of FHT.

If, at any time, you feel that concerns have not been addressed or you prefer not to raise it with the Whistleblowing Officer, Chair of Governors or CEO of the FHT, you can contact the Local Authority Designated Officer (LADO) within the Local Authority or the NSPCC.

Contact details are set out at the end of this policy.

Confidentiality

We hope that you will feel able to voice whistleblowing concerns openly under this policy. However, if you want to raise your concern confidentially, we will make every effort to keep

your identity secret. If it is necessary for anyone investigating your concern to know your identity, we will discuss this with you.

If you are in any doubt you can seek advice from Public Concern at Work, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are at the end of this policy.

External disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases you should not find it necessary to alert anyone externally.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. It will very rarely if ever be appropriate to alert the media. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

Whistleblowing concerns usually relate to the conduct of our employees, but they may sometimes relate to the actions of a third party, such as a customer, supplier or service provider. The law allows you to raise a concern in good faith with a third party, where you reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, you should also report such concerns internally first. You should contact the Whistleblowing Officer (headteacher) or CEO of the FHT, or one of the other individuals set out below for guidance.

Any concerns relating to the Whistleblowing Officer (head teacher) must be directed to the chair of governors or CEO of the FHT for investigation and action.

Any concerns relating to the CEO of FHT, should be directed to the Chair of Trustees of FHT.

If, at any time, you feel that concerns have not been addressed or you prefer not to raise it with the Whistleblowing Officer, Chair of Governors or CEO of the FHT, you can contact the Local Authority Designated Officer (LADO) within the Local Authority or the NSPCC.

Contact details are set out at the end of this policy.

Investigation and outcome

Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.

In some cases, we may appoint an investigator or team of investigators including employees with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable us to minimise the risk of future wrongdoing.

We will aim to keep you informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent us giving you specific details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

If we conclude that a whistleblower has made false allegations maliciously, in bad faith or with a view to personal gain, the whistleblower will be subject to disciplinary action.

If you are not satisfied

While we cannot always guarantee the outcome you are seeking, we will try to deal with your concern fairly and in an appropriate way. By using this policy, you can help us to achieve this.

If you are not happy with the way in which your concern has been handled, you can raise it with one of the other key contacts below. Alternatively, you may contact the chair of governors or CEO of the FHT. Contact details are set out at the end of this policy.

Protection and support for whistleblowers

It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

You should not suffer any detrimental treatment as a result of raising a concern in good faith. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Whistleblowing Officer immediately. If the matter is not remedied, you should raise it formally using our Grievance Procedure.

You must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

Contacts

Whistleblowing Officer	Kerry Chadburn 01623 415790 Kchadburn@ladybrookfha.org
Chair of Governors	Richard Smith 01623 415790 richard.smith@ladybrookfha.org
CEO	Chris Wheatley 0115 989 1915 ceo@flyinghightrust.co.uk

Chair of Trustees

Neil Robinson 0115 989 1915
nrobinson@flyinghightrust.co.uk

Local Authority Designated
Officer
(LADO)

Miles Dent
01629 31940: 07807
169166].
miles.dent@derbyshire.gov.uk

NSPCC (whistleblowing
advice line)

Tel: 0808 800 5000
Email: help@nspcc.org.uk

Streets Audit LLP
external
auditors

Robert Anderson 01522 551200
randerson@streetsweb.co.uk

Public Concern at Work
(Independent whistle
blowing charity)

Helpline: (020) 7404 6609
E-mail: whistle@pcaw.co.uk
Website: www.pcaw.co.uk

2. Confidentiality Policy

This Policy should be read in conjunction with the Whistleblowing Policy (see above).

During the course of your employment, you will have access to and be entrusted with information regarding your school or the FHT, its current and prospective pupils, parents, carers, suppliers, employees, contractors or consultants and their services, dealings, practices and affairs, all of which is or may be commercially sensitive or confidential information.

You will not, except in the proper course of your duties, without the previous consent of the head teacher or CEO of the FHT make use of, divulge or communicate to any person, firm or company whatsoever or otherwise make use of any confidential information concerning the business or finances of your school or the FHT or any such confidential information concerning current and prospective pupils, parents, carers, suppliers, employees, associates or consultants which you knew or ought reasonably to have known to be confidential which you may have received or obtained during your employment.

This restriction shall continue to apply after the termination of your employment without a time limit but shall cease to apply to information ordered to be disclosed by a court of competent jurisdiction or otherwise required to be disclosed by law.

All documentation, e-mails, folders, programs, notes and memoranda remain the property of the FHT and shall be returned or surrendered upon termination of your employment.

You must not at any time make a copy, abstract, précis or summary of the whole or any part of any document, file or program belonging to the school or FHT except when required to do so in the course of your employment.

Any statements to reporters from newspapers, radio, television etc. will be given only by the head teacher, chair of governors, CEO of the FHT or other appointed person, and any press or media request for information must be referred in the first instance to your line manager.