

# Whistleblowing Policy

## 1. Introduction

Bolton Impact Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees and others that we deal with who have serious concerns about any aspect of the Trust's work, or those who work for the Trust, to come forward and voice those concerns.

This policy document explains how people can raise concerns, or "whistle blow", without fear of victimisation, subsequent discrimination or disadvantage

The staff and governors of the Bolton Impact Trust seek to run all aspects of its business and activity with full regard for high standards of conduct and integrity. If members of staff, mums/dads/carers, governors or the Academy community at large become aware of activities which give cause for concern, the Bolton Impact Trust has this whistle blowing policy; this acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion, under the Trust's disciplinary procedure.

Bolton Impact Trust is committed to tackling fraud and other forms of malpractice and treats these issues seriously. It recognises that some concerns may be extremely sensitive and has therefore developed a system which allows for the confidential raising of concerns within its Academy environments but also has recourse to an external party outside the management structure of the Trust.

*The Second Report of the Committee on Standards in Public Life: Local Public Spending Bodies* published by The Nolan Committee used the term "whistle blowing" to mean the confidential raising of problems or concerns within an organisation by a member of staff. This is not "Leaking" information but refers to matters of impropriety eg a breach of law, Academy procedures or ethics. Nor is whistle blowing the raising of a grievance within an Academy (which would be dealt with under the staff grievance procedures).

## 2. Scope and Definition

The Whistleblowing Policy describes how individuals may make a disclosure when they have reasonable grounds to believe there is illegal, immoral, irregular, dangerous or unethical activity occurring under the Trust's control. For example:

- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- The unauthorised use of public funds
- Possible fraud and corruption
- Sexual or physical abuse of clients, or others
- Other unethical conduct.
- manipulation of accounting records and finances
- decision-making for personal gain
- any criminal activity
- damage to the environment of the school
- dangerous practices
- abuse of position
- serious breaches of school procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)

Individuals are encouraged to come forward in good faith with genuine concerns knowing they will be taken seriously. A whistleblower should ask a few questions before taking action:

- Is it, or do you believe it to be, illegal?
- Is it, or do you believe it to be, against codes of practice issued by the Trust, the LA, the DfE or a professional body?
- Does it contradict what the employee has been taught, or should have been taught?
- Is it about an individual's behaviour or is it about general working practices?

- Has the whistleblower witnessed the incident?

If any individual raises malicious unfounded concerns or attempts to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

The policy applies to all employees, volunteers and those contractors working for the Trust on Academy premises, for example, agency staff, builders or drivers. It also covers suppliers and those providing services under a contract with the Trust in their own premises, for example, care homes, or in other premises where services are delivered. The Whistleblowing Policy specifically covers those matters where it is in the public interest for an individual to raise concerns. Matters that relate to an individual's own employment must be raised through the grievance procedure. Issues about service quality should be made through Bolton Impact Trust's complaints procedure.

### **3. Whistleblowing – Our Commitment**

Under the terms of this policy the Trust gives an assurance that:-

- Those who raise a concern will be listened to and heard
- Employees who raise concerns within the scope of this policy will be protected from any detriment to their employment for doing so, in accordance with the law
- Concerns will be thoroughly investigated
- Appropriate actions will be taken in a timely manner when deemed necessary
- Feedback will be provided to the whistleblower

### **4. Safeguards – Confidentiality and Witness Protection**

The Trust recognises that the decision to report a concern can be a difficult one to make. All concerns will be treated, as far as possible, in the strictest confidence and every effort will be made not to reveal the "Whistleblower's" identity if they so wish. However, if concerns require any further action, the individual may at some future date have to act as a witness in proceedings.

The Trust will not tolerate or allow any form of harassment, victimisation or discrimination (including informal pressures) against those who "whistleblow" and will take appropriate action to protect individuals who raise a concern in good faith. If there are any intimidatory threats or instances of harassment, victimisation or discrimination against a 'whistleblower' the Trust Board will take appropriate action against the individual(s) concerned.

If an allegation is made in good faith but it is not confirmed by the investigation no action will be taken against the person that raised the issue. Action may, however, be taken against those who have been found to have made allegations frivolously, maliciously or for personal gain.

### **5. How to raise an issue by whistleblowing**

Normally the first step in making a disclosure should be to raise the issue with the individual Academy Lead or, if the matter concerns them, the Executive Principal. Alternatively, disclosures may be made to the Chair of the Trust.

Concerns should be lodged in writing where possible, using the form provided at the appendix. Verbal reports should provide the same information requested on the form. Although Whistleblowers are not expected to prove beyond doubt the truth of an allegation, they will need to demonstrate that there are reasonable grounds for concern.

### **6. How the Trust will respond**

The Trust will respond to all concerns raised under the terms of this policy.

An initial assessment of the issue will be made by the Chair of the Trust, in consultation with the Executive Principal, HR and the Chair of the Risk and Audit Committee, to decide whether an investigation is appropriate and to determine any urgent action that is required as a precursor to a detailed investigation.

At this stage, the Chair of the Trust will also determine which other relevant professionals should be notified of the disclosure, in order that appropriate safeguards can be put in place pending the outcome of any investigation and to inform any judgement as to the importance and severity of the matters raised by Whistle-blowers. This may include notifying other associated professionals within the Trust and those in partner organisations, e.g. the NHS.

Where further investigation is required this may involve:

- A detailed internal investigation by appropriate management representatives and professionals, with reference to the disciplinary policy if appropriate
- Referral of the matter to the police;
- Referral to the external auditor;
- An independent inquiry
- Or a combination of these.

Concerns or allegations which fall within the scope of specific procedures (for example, child protection, adult abuse or discrimination issues) will normally be referred for consideration under these procedures.

Within ten working days of a concern being raised, the person who has raised the issue will be written to in confidence to:

- Acknowledge that the concern has been received;
- explain how we propose to deal with the matter and why
- Indicate how long we think any investigation will take
- Explain any further information or involvement we require from them
- supply information about support mechanisms

## **7. Help and Support in raising an issue**

Bolton Impact Trust is committed to supporting those who escalate a concern under this policy. Staff who pursue an issue under the Whistleblowing policy will be supported fully by the Trust Board. Further advice and guidance for staff is available on a confidential basis from the appropriate HR service. Those staff who are members of a trade union are also encouraged to discuss the matter with their TU representative in the first instance.

**APPENDIX 1: BOLTON IMPACT TRUST WHISTLEBLOWING POLICY UNIT**

**WHAT CONCERN(S) DO YOU WISH TO RAISE?**

(In your own words describe your concern(s), include date(s), time(s), persons involved, including any witnesses, location, the length of time you have been concerned.)

**WHY ARE YOU CONCERNED ABOUT THE ISSUE(S)?**

**HAVE YOU DISCUSSED THE ISSUE(S) WITH ANYONE ELSE? YES/NO**

**IF SO, who with WHEN (date)**

**WHAT WAS THE OUTCOME OF THIS DISCUSSION?**

**YOUR CONTACT DETAILS**

**Name**

**Telephone Number**

**Address**

**SIGNED DATE**

**ON COMPLETION THIS FORM SHOULD BE SENT IN CONFIDENCE TO:**

**Chair of the Bolton Impact Trust, Youth Challenge, Smithills Dean Rd, Bolton, BL1 6JT**