

Whistleblowing Policy

Policy Monitoring, Evaluation and Review

This policy applies to all TMET employees, Trustees and Academy Councillors), consultants, contractors, casual and agency staff and volunteers.

Employees and others listed above who are not based in an academy should substitute Principal with CEO or appropriate representative.

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Revision History:

Version	Date	Author	Summary of Changes:
V1.0	September 2017	D Stanley	New policy
V2.0	June 2019	M Wright	<ul style="list-style-type: none"> Updated contact information Updated references to RMET with TMET
V3.0	April 2020	C Brown	Section 4.2 & 11 – Chair of trustees added in line with Academies Financial Handbook
V4.0	December 2021	S Kearsley	<ul style="list-style-type: none"> Section 4.2 - Trade Union Official added Section 7 - Re-write to include more detail around investigation process and indicative timescales Section 7 - Anonymous complaints included Section 10 - Contact details updated

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1. Introduction

- 1.1 The Board are committed to the highest possible standards of honesty and integrity, and we expect all staff to maintain these 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 if they do occur.
- 1.2 This policy has been implemented following consultation and agreement with our recognised trade unions.
- 1.3 This policy does not form part of any employee's contract of employment, and it may be amended at any time.

2. Scope and purpose

- 2.1 The aims of this policy are:
 - (a) To encourage staff 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 staff with guidance on how to raise concerns.
 - (c) To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- 2.2 This policy applies to all employees of the Trust, Trustees and Academy Councillors, consultants, contractors, casual and agency staff and volunteers (collectively referred to as staff in this policy).

3. What is whistleblowing?

- 3.1 Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. The law provides protection for workers who raise legitimate concerns about specified matters or "qualifying disclosures". A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that 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) bribery;
 - (g) financial fraud or mismanagement;
 - (h) negligence;
 - (i) breach of our internal policies and procedures including our Code of Conduct;
 - (j) conduct likely to damage our reputation;

- (k) unauthorised disclosure of confidential information;
- (l) other unethical behaviour
- (m) the deliberate concealment of any of the above matters.

- 3.2 A whistleblower is a person who raises a genuine concern 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.
- 3.3 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 TMET's Grievance Procedure.
- 3.4 If you are uncertain whether something is within the scope of this policy, you should seek advice from a member of the Academy or Trust's leadership team.
- 3.5 If your concern is in relation to safeguarding and the welfare of students at the academy, you should consider whether the matter is better raised under TMET's Safeguarding and Child Protection Policy and in accordance with the arrangements for reporting such concerns, i.e. via the designated safeguarding lead, although the principles set out in the is policy may still apply.

4. Raising a whistleblowing concern

- 4.1 We hope that you will be able to raise any concerns with your line manager or Principal. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively. Anonymous complaints will be dealt with as described in section 7.
- 4.2 However, where the matter is more serious, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, or they are the subject of the complaint, then you can raise the matter with:
- (a) The Principal. This is the member of the senior team who is responsible for managing whistleblowing complaints.
 - (b) The Chief Executive Officer.
 - (c) The Chair of the Academy Council.
 - (d) The Chair of the Board of Trustees
 - (e) A Trade Union Official
- 4.3 Contact details are set out at the end of this policy.
- 4.4 We 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.
- 4.5 We 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.

5. Confidentiality

- 5.1 We hope that staff 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.

- 5.2 We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you.

It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the other contact points listed in paragraph 4.2 and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Protect, the independent whistleblowing charity, which offers a confidential helpline. Contact details are given at the end of this policy.

- 5.3 Where we receive anonymous complaints, we will make a determination about whether to investigate based on:

- (a) the seriousness of the issue raised
- (b) the credibility of the concern; and
- (c) the likelihood of confirming the allegation from other sources

- 5.4 We will keep a central record of disclosures made under the Whistleblowing Policy.

- 5.5 We will comply with data protection requirements in terms of any records made and kept.

6. External disclosures

- 6.1 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.

- 6.2 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. Protect hold a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

- 6.3 Whistleblowing concerns usually relate to the conduct of our staff, but they may sometimes relate to the actions of a third party, such as a contractor, supplier or service provider. The law allows you to raise a concern with a third party, where you reasonably believe it relates mainly to their actions or something that is legally their responsibility. However, we encourage you to report such concerns internally first. You should contact your line manager or one of the other individuals set out in paragraph 4.2 for guidance.

7. Investigation and outcome

- 7.1 Once you have raised a concern, we will carry out an initial assessment. We will inform you of the outcome of this within five school days of the concern being raised, indicating how we propose to deal with the matter and telling you whether further investigations will take place, and if not, why not. You may be required to attend additional meetings in order to provide further information.

- 7.2 We will take all whistleblowing disclosures/complaints seriously, including any that are made anonymously. Where disclosures/complaints are made anonymously, it will obviously not be possible to either acknowledge the complaint or provide any feedback. In cases where anonymous disclosures/complaints are received via email,

the matters will be investigated, but only an acknowledgement sent to the sender. No feedback/outcome will be communicated in such cases.

- 7.3 In some cases, we will appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) will collate findings on the matter and may make recommendations for change to enable us to minimise the risk of future wrongdoing. This will be sent to the Principal and/or CEO for action.
- 7.4 The amount of contact between you and the individuals considering the issues will depend on the nature of the matters raised, the potential difficulties involved and the clarity of your information. It is likely that you will be interviewed to ensure that your disclosure is fully understood. Any meeting can be arranged away from your workplace, if you wish and a colleague or union representative may accompany you in support.
- 7.5 We will aim to conclude the investigation in a timely way, usually within 20 school days of receipt of your concern. However, a complicated matter may take longer to investigate and, if this is the case, you will be informed of the likely timescale.
- 7.6 Following the investigation, the person handling your concern will write to you confirming the outcome of the investigation with actions taken to investigate the complaint, the reasons for the decision and, if appropriate, any actions to be taken to resolve the complaint. 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.
- 7.7 If we conclude that a whistleblower has made false allegations maliciously, or with a view to personal gain, the whistleblower may be subject to disciplinary action.

8. Protection and support for whistleblowers

- 8.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 8.2 Staff must not suffer any detrimental treatment as a result of raising a genuine concern. 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 one of the contact people in paragraph 4.2 immediately. If the matter is not remedied, you should raise it formally using TMET's Grievance Procedure.
- 8.3 Staff must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

9. Review of policy

- 9.1 This policy is reviewed as required by the Trust in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively.

10. Contacts

Whistleblowing Officer	Your Principal, or other person at 4.2
Protect (formerly known as Public Concern at Work) (Independent whistleblowing charity)	Helpline 020 3117 2520 Protect-advice.org.uk
Carolyn Robson - CEO	Email: crobson@tmet.uk
Tony Glover - Chair of Board of Trustees	Email: chairoftrustees@tmet.uk
ATL BRANCH OF NEU	Email: ATLLEICESTER@ATL.ORG.UK Tel: 0116 2392672
ACSL	Email: HOTLINE@ASCL.ORG.UK Website: https://www.ascl.org.uk/ Tel: 0116 299 1122
GMB	Name: Colin Wyatt Email: colin.whyatt@gmb.org.uk Tel: 0116 2324515
NASUWT	Name: Stephen Bird Email: secretary.leicester@nasuwt.org.uk Tel: 0115 976 7180
NAHT	Name: Robert Smith, NAHT Regional Officer Email: robert.smith@naht.org.uk Tel: 0115 9233434

Whistleblowing Officer	Your Principal, or other person at 4.2
NEU	<p>Name: Joseph Wyglendacz (Leicester City NEU) Email: joseph.wyglendacz@neu.org.uk</p> <p>Name: Simon Clarkson (Leicestershire NEU) Email: simon.clarkson@neu.org.uk</p> <p>Name: east.midlands@neu.org.uk (Regional Office) Tel: 0115 838 6707</p> <p>Name: Pauline Town (Leicestershire NEU. Assistant Secretary Case Worker) Email: Pauline.Town@neu.org.uk</p>
UNITE	<p>Name: Lakhy Mahal Email: lakhy.mahal@unitetheunion.org Tel: 0116 2532020</p>
UNISON LEICESTER CITY	<p>Name: Samuel Randfield Email: UNISON.LEICESTERCITY@VIRGIN.NET Tel: 0116 299 5103 National Helpline: 0800 0857 857</p>
VOICE COMMUNITY	<p>Name: Letitia McCalla Email: lmccalla@community-tu.org Email: CONTACT@VOICETHEUNION.ORG.UK Tel: 01332 372 337</p>