



Diocese of Bristol Academies Trust

Whistleblowing (Speaking out) Policy

Type: HR
Level: 1
Date Adopted: 4th June 2015
Date Reviewed: 17/10/16, 01/03/18

History of most recent Policy changes (must be completed)

Date	Page	Change	Origin of Change e.g. TU request, Change in legislation
Oct 16	4 & 5	Clarification of procedure for central staff	Main Board
	5	Insertion of Internal Auditors as Outside Body	Main Board
March 2018		Inclusion of 'Speaking out' in title. No further changes made, but Recommendation that at next policy review, this policy is aligned with DBF Speaking Out (Whistleblowing) policy which adds detail, emphasises safeguarding throughout, contains detailed practical steps on how to raise a concern and flowchart of process.	EG recommendation on comparison of DBAT and DBF policies

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1) Policy Statement

- a) The Trust is an organisation with a Christian foundation. The ethos, values and relationships of the Trust, and its associated academies, are central to witnessing to the value of the foundation. The Trust expects the highest levels of integrity, professionalism and honesty from all those involved in its operational and educational activities. The Trust wishes to operate with transparency and openness and believes that the relevant safeguards and policies are in place to protect the organisation and those in our care. Everyone is encouraged to raise any genuine concerns that not all is well.
- b) **Purpose & Scope:** This policy is intended to provide guidance to Local Boards (Governing Bodies) and all DBAT members of staff (central staff and staff employed in DBAT Academies) on the Trust's Whistleblowing policy. Where central staff are concerned the CEO will take the role of the Principal.

2) Wrongdoing at work

- a) This policy and associated procedure is designed to deal with disclosure of information by an employee that relates to some danger, bribery, corruption, fraud or other unlawful or unethical conduct in the workplace. Employment legislation governs the making of disclosures concerning workplace activities and is intended to protect employees who blow the whistle on bad practice from being subjected to any detriment or from being unfairly dismissed as a result. This procedure is available to all DBAT employees who discover something they feel that, in the interests of the public, they should pass on. All types of wrongdoing are included whether they are acts committed by fellow employees, faults in Academy procedures or oversights which should be rectified. The procedure should be used even in the event that the act or omission causing the member of staff concern has finished or has not yet started.
- b) **Grievances:** This procedure should not however be used where a DBAT member of staff has a complaint relating to their personal circumstances in the workplace. Matters of this nature are dealt with under the DBAT Grievance Procedure.
- c) **Detriment:** Provided that this procedure is used correctly and DBAT members of staff make the disclosure in good faith they will not suffer any detriment as a result of reporting the wrongdoing. A failure to follow this procedure may however make the disclosure unreasonable and the protection given to the member of staff by this procedure may be lost.
- d) **Anonymous Disclosures:** In order to ensure employees receive protection of the Public Interest Disclosure Act 1998 employees should put their name to their allegation. Concerns expressed anonymously are much less powerful.
- e) On receipt of any anonymous disclosures the Chair of DBAT or the Chair of a Local Board or a Principal will consider if the disclosure(s) appear to have any validity and if necessary refer to the Trust for further advice and guidance. It needs to be recognised that anonymous disclosures will have limited possibilities in respect of a full investigation although no disclosure will be ignored and will be given careful consideration.

3) Stage one

- a) **Procedure:** DBAT members of staff should disclose the suspected wrongdoing first to their Line Manager. This should be done in writing and clearly dated. In the event that the member of staff's Line Manager is involved in the suspected wrongdoing, the member of staff should proceed directly to Stage Two of this procedure. In the event that the Principal is involved in the suspected wrongdoing, the member of staff should proceed directly to Stage Three of this procedure.
- b) **Response:** The DBAT member of staff can expect a response detailing to whom the disclosure has been notified or any action taken within five working days of the appropriate Line Manager becoming aware of the disclosure.

4) Stage two

- a) **Procedure:** If no response is forthcoming after five working days or if the Line Manager is involved in the suspected wrongdoing the member of staff should notify the Principal of the concern. This should be done in writing and clearly dated.
- b) **Response:** The DBAT member of staff can expect a response detailing any action taken within a further five working days of the Principal becoming aware of the disclosure.

5) Stage three

- a) **Procedure:** If no such response is forthcoming the DBAT member of staff should inform the Chair of the Local Board (or Main Board in the case of Central Staff), in writing, of the disclosure. This letter should be copied into the registered address for the Trust and made for the attention of the Chief Executive (Address: Hillside House, 1500 Park Way North, Stoke Gifford, Bristol. BS34 8YU)
- b) **Response:** The DBAT member of staff can expect a response detailing any action taken within a further ten working days from the Local Board becoming aware of the disclosure.

6) Stage four

- a) **Outside body:** If a DBAT member of staff does not receive a response within ten days from the Local Board, the member of staff shall be entitled to notify a relevant and appropriate body outside the Academy which may include:
 - i) The Academies Trust (the Chief Executive at Hillside House, 1500 Park Way North, Stoke Gifford, Bristol. BS34 8YU)
 - ii) The Internal Auditors (RSM, Hartwell House, 55-61 Victoria St, Bristol BS1 6AD – tel: 0117 945 2000)

- iii)* the Health and Safety Executive
 - iv)* the Environment Agency
 - v)* the Information Commissioner
 - vi)* the Department for Education
 - vii)* the Department for Business, Enterprise and Regulatory Reform
 - viii)* the Police
 - ix)* the Charity Commission
 - x)* the Office for Standards in Education, Children's Services and Skills (Ofsted).
- b) Any correspondence to an outside body will also be copied into the registered address for the Trust and made for the attention of the Chief Executive (Address: Hillside House, 1500 Park Way North, Stoke Gifford, Bristol. BS34 8YU)

7) Bypassing the procedure

- a) In extreme circumstances a DBAT member of staff will have the right to raise their concern directly with a relevant and appropriate outside body without first having followed the stages above. This may however cause damage to the Academies Trust and its reputation as well as constitute a breach of the member of staff's own duty of confidentiality towards the Academy and this action should only be taken in extreme circumstances and after careful thought.

8) Extreme circumstances

- a) The Academies Trust will consider extreme circumstances exist where the member of staff has a reasonable belief that:
- i)* the Academy will subject the member of staff to detriment if they inform their Line Manager in accordance with stage one above;
 - ii)* if they inform the Principal/Local Board in accordance with stage two or stage three a cover-up will be mounted by the individual institution;
 - iii)* a disclosure made previously to the Line Manager or Principal in accordance with the stages above has not prompted a satisfactory response.
- b) **The media:** Even where extreme circumstances are thought to exist, DBAT staff members should under no circumstances approach a commercial body or the media with details of the suspected wrongdoing. If DBAT members of staff approach any such body and / or where their concern is disclosed for personal gain, the Trust may consider this to be gross misconduct and immediate disciplinary action may be taken against the member of staff.

9) Queries

- a) If a DBAT member of staff has any queries about this procedure, they should contact the Principal or CEO.

10) Other Relevant Documents

Grievance Policy

Disciplinary Policy