



MOSAIC
SCHOOLS LEARNING TRUST

WHISTLE-BLOWING POLICY

All schools in Mosaic Schools Learning Trust are committed to safeguarding and promoting the welfare of children and young people and expect all staff and volunteers to share this commitment.

Staff Responsible:	HR and Executive Headteachers
Approved by:	Audit & Risk Committee
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VERSION CONTROL

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Contents

1. OBJECTIVES	4
2. AIMS OF THE POLICY	4
3. SAFEGUARDING FROM HARASSMENT OR VICTIMISATION	6
4. CONFIDENTIALITY.....	6
5. ANONYMOUS ALLEGATIONS.....	6
6. UNTRUE ALLEGATIONS	6
7. HOW TO RAISE A CONCERN	7
8. HOW THE TRUST WILL RESPOND TO YOUR CONCERNS	7
9. THE RESPONSIBLE OFFICERS	8
10. HOW THE MATTER CAN BE TAKEN FURTHER	8
Appendix A.....	10

1. OBJECTIVES

This procedure shall apply to all employees employed by Mosaic Schools Learning Trust.

The purpose of the procedure is to give a structure to employees who have serious concerns about an aspect of the way in which the Trust, or any of the schools comprising the Trust, functions.

The requirement to have clear whistle-blowing procedures in place is set out in the Academies Financial Handbook.

This policy has been written in line with the above document, as well as government guidance on whistle-blowing. We also take into account the Public Interest Disclosure Act 1998.

This policy complies with our funding agreement and articles of association.

The Trust delegates its authority in the manner set out in this procedure.

2. AIMS OF THE POLICY

Employees are often the first to realise that there may be something seriously wrong within the Trust. Normally, employees would be expected to raise any concerns initially with their Head Teacher. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to their school or the Trust. They may also fear harassment or victimisation. In these circumstances they may feel it would be easier to ignore the concern rather than report what may just be a suspicion of malpractice.

The Trust is committed to the highest possible standards of openness, professionalism and accountability. In line with that commitment, we want and expect employees who have serious concerns about any aspect of the Trust's activities or about those who work for the Trust, to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis and anyone who raises a concern is protected by the Public Interest Disclosure Act 1998.

This policy document makes it clear that you can raise concerns without fear of victimisation, subsequent discrimination or disadvantage. This Whistleblowing Policy is intended to encourage and enable employees to raise serious concerns within the Trust rather than overlooking a problem or "blowing the whistle" outside.

The policy also applies to contractors working for the Trust or on Trust premises. It also covers suppliers and those providing services under a contract with the Trust.

If you would like to speak to someone informally about a concern prior to raising an issue under the Whistleblowing Policy, you can speak to your line manager in the first instance, or to the Executive Headteacher or the Head of HR for the Trust if your concern is about your manager.

This policy aims to:

- Encourage all staff to feel confident in raising serious concerns and to question and act upon concerns about practice;

- Provide avenues for staff to raise those concerns and receive feedback on any action taken;
- Ensure that the person raising the concern receives a response to those concerns and is aware of how to pursue them if they are not satisfied;
- Reassure staff that they will be protected by the Trust from possible reprisals or victimisation.

The Whistleblowing Policy is intended to cover major concerns that fall outside, or in a particular instance do not appear to have been properly addressed within, the scope of other procedures. Whistle-blowing covers concerns made that report wrongdoing that is “in the public interest” Examples of this include, but are not limited to:

- Conduct, which is an offence or a breach of the law.
- Failure to comply with a legal obligation
- Disclosures related to miscarriages of justice;
- 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; □ Child Protection concerns □ Other unethical conduct.
- Deliberate covering up of information relating to the above

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the Trust count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance. Please see the Mosaic Staff Grievance Policy for more information.

When staff have a concern, they should consider whether it would be better to follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work) has: [Further guidance](#) on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure. They also have a free and confidential advice line.

It is important to note that this Policy is intended to assist employees who believe they have discovered malpractice or impropriety. It is not designed to question financial or management decisions taken by the Trust, nor should it be used to consider any matters which have already been, or are currently being addressed under other procedures such as Complaints Procedure, Disciplinary and Grievance and Equality Policies.

If a member of staff has a serious concern about any aspect of the Trust’s provision or the conduct of colleagues and employees of the Trust, members of the Board or others acting on behalf of the Trust, these can and should be reported under the Whistleblowing Policy. This may be about something that:

- Makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Trust subscribes to
- Is against the Trust's policies
- Falls below established standards of practice
- Amounts to improper conduct

This policy does not replace the Trust's Complaints Procedure.

3. SAFEGUARDING FROM HARASSMENT OR VICTIMISATION

The Trust is committed to good practice and high standards and wants to be supportive of employees. As such, it recognises that the decision to report a concern can be a difficult one to make, especially for staff who are new to the Trust. If what you are saying is true, or your suspicions are reasonable, you will have nothing to fear because you will be doing your duty to your employer and to those for whom you are providing a service. In fact, you may be making yourself vulnerable if you do not raise the alarm.

The Trust will not tolerate or allow any form of harassment, victimisation or discrimination (including informal pressures) and will take appropriate action to protect you when you raise a concern. If there are any intimidatory threats or instances of harassment, victimisation or discrimination against a 'whistle-blower' the Trust will take appropriate disciplinary action against the individual(s) concerned. Please also see the Mosaic Dignity at Work policy.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary or redundancy procedures that already affect you.

4. CONFIDENTIALITY

All concerns will be treated, as far as possible, in the strictest confidence and every effort will be made not to reveal your identity if you so wish. However, if your concerns require any further action, you may at some future date have to act as a witness and/or provide evidence.

5. ANONYMOUS ALLEGATIONS

This policy encourages you to put your name to your allegation whenever possible. Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Trust.

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

- The seriousness of the issues raised;
- The credibility of the concern; and
- The likelihood of confirming the allegation from attributable sources.

6. UNTRUE ALLEGATIONS

If you make an allegation but it is not confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against you.

7. HOW TO RAISE A CONCERN

As a first step, you should normally raise concerns with the Head Teacher of the school where you work. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that the Head Teacher is involved, you should approach the one of the Executive Headteachers of the Trust, Wendy Giles or Sue Robertson, or the Head of HR, Sue Wray.

Concerns should be raised in writing and identify:

- The background and history of the concern (giving relevant dates);
- The reason why you are particularly concerned about the situation.

The earlier you express the concern the easier it is to take action. Although you are not expected to prove beyond doubt the truth of an allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern. Advice and guidance on how to pursue matters of concern may be obtained from the Head Teacher, Executive Headteachers or the Head of HR for the Trust.

You may wish to consider discussing your concern with a colleague or your Trade Union Representative in the first instance, as you may find it easier to raise the matter through someone else who is known to you. You may invite your trade union, or a colleague to be present during any meetings or interviews in connection with the concerns you have raised.

If you would prefer to raise your concern with a member of the Board of Trustees, the person to contact is William (Bill) Mitchell, Chair of the Trust Audit and Risk Committee. He can be contacted at WilliamMitchell@MSLT.org.uk

Trustees, with the exception of the CEO, are not employees of the Trust.

8. HOW THE TRUST WILL RESPOND TO YOUR CONCERNS

The Trust will respond to your concerns, but you should bear in mind that testing out your concerns is not the same as either accepting or rejecting them.

Where the allegation is sent to a Head Teacher, they will inform one of the Executive Headteachers that a concern has been raised and its nature prior to proceeding. Where appropriate, the matters raised may:

- Be investigated by appropriate representatives, internal audit, or through the disciplinary process;
- Be investigated under another procedure i.e. Child Protection/Safeguarding
- Be referred to the Police;
- Be referred to the external auditor;
- Form the subject of an independent inquiry.
- A combination of these

In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. The overriding principle which the Trust will work to is the public interest.

Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required, this will be taken immediately, before any investigation is conducted.

Every effort will be made to ensure that your concerns are dealt with as speedily as possible and you are kept informed of progress made. The amount of contact between the person considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Trust will seek further information from you.

The Trust will;

- listen to any concerns that you have raised
- consider what evidence might be available to support your concern
- reassure you that every effort will be made to keep your identity confidential
- reassure you that you will not suffer any detriment for raising concerns
- try and answer any questions you have and explain why it cannot answer them if not
- keep you informed about the progress of any investigation into your disclosure
- provide you with feedback after any investigation, explaining what action has been taken

Where any meeting is arranged, this can be off-site if you so wish, and a trade union representative or a colleague can accompany you.

The Trust will take steps to minimise any difficulties, which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Trust will arrange for you to receive advice and support

about the procedure.

The Trust understands that it will have been a difficult decision to raise a concern and accepts that you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, we will inform you of the outcome of any investigation.

9. THE RESPONSIBLE OFFICERS

The Executive Headteachers and Head of HR, have overall responsibility for the maintenance and operation of this Policy, and will maintain a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to Trustees..

10. HOW THE MATTER CAN BE TAKEN FURTHER

This Policy is intended to provide you with an avenue within the Trust to raise concerns, and we will make every effort to ensure that you will be satisfied with any action taken. If you are not, and if you feel it is right to take the matter outside the Trust, the following are possible contact points, (this list is not exhaustive):

- The Health and Safety Executive
- The Trust's Auditors
- The Education Funding Agency

- H M Customs and Excise
- The Inland Revenue
- The Police

The Protect advice line, linked to in section 2 of this policy, can also help staff when deciding whether to raise the concern to an external party.

If you do take the matter outside the Trust, you should ensure that you do not disclose confidential information. It would be wise to check this first with your Union representative.

WHISTLEBLOWING FLOWCHART

