



BrightTribe
learn grow prosper

ALAT and Bright Tribe Trust Whistleblowing Policy and Procedure

January 2018





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1. Mission Statement

Adventure Learning Academy Trust (ALAT) AND Bright Tribe Trust (Bright Tribe) brings a new energy and approach to providing the best education for our students. Through proven practices, ALAT / Bright Tribe will transform the learning of students, raise standards and provide the highest quality learning environments, enabling students and teaching staff to thrive and be the best. ALAT / Bright Tribe's aim is to break down the barriers that limit educational progress. We do this through adopting a personal learning pathway for every child – one that takes account of individual needs, aspirations and talents.

ALAT / Bright Tribe's values:

Learn	Grow	Prosper
Provide the best education for every student.	Grow our students' futures.	Lead the way in education.
Ensure the highest quality teaching and learning.	Develop the best teaching staff.	Realise the opportunities.
Work with the family, parent or carer.	Provide the best learning environment and supporting technology.	Be connected to the community.

2. Introduction

ALAT/Bright Tribe pride themselves on having an open and honest culture, and are committed to the highest possible standards of probity and accountability. Employees (whether at trust level or at an individual academy) with serious concerns about any aspects of ALAT/Bright Tribe are encouraged to come forward and voice those concerns.

Whistleblowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. ALAT/Bright Tribe will not tolerate harassment or victimisation and will take all necessary action to protect staff when concerns are raised. All managers are expected to recognise their responsibilities in this matter and to adopt and implement this policy, adhering fully to its procedures.

Employees are often the first to realise that there may be something wrong. They should be encouraged to speak up and not feel that it would be disloyal to their colleagues or to their employer to do so.

Employees should not, however, use this procedure for complaints relating to their own personal circumstances, such as the way they have been treated at work. In those cases, employees should refer to the grievance procedure.

This policy is intended to make it clear that concerns can be raised without fear of reprisals and to encourage and enable employees to raise serious concerns within ALAT/Bright Tribe, irrespective of seniority, rank or status, rather than overlooking a problem. It covers all employees, officers, contractors, volunteers, casual workers and agency workers (referred to as **employees** for simplicity).

For the avoidance of doubt, this policy does not form part of any employee's contract of employment, ALAT/Bright Tribe reserves the right to amend it at any time.

3. What is Whistleblowing?

The Public Interest Disclosure Act 1998 (“the Act”) protects workers and employees whose employer dismisses them or subjects them to detriment on grounds that they have made a ‘qualifying disclosure’.

A ‘qualifying disclosure’ is the disclosure of information which relates to suspected wrongdoing or dangers at work (**whistleblowing**). This may include:

- a criminal offence which has been, is being, or is about to be committed;
- failure to comply with legal obligations;
- a miscarriage of justice which has happened or is likely to happen;
- danger to an individual’s health and safety;
- damage to the environment;
- the deliberate concealment of any of the above matters.

A **whistleblower** is a person who raises a genuine concern relating to any of the above. Any such concerns relating to ALAT/Bright Tribe’s activities should be reported under this policy.

The employee raising the concern must reasonably believe they are doing so in the public interest.

If employees are uncertain whether or not something is within the scope of this policy, they should speak to their line manager if it is appropriate to do so. If not, they should speak to a key contact (see section 4 below).

4. Procedure

Internal Disclosures

ALAT/Bright Tribe encourage employees to raise any concerns with their line manager. This may be done verbally or in writing if preferred. Line managers may be in the best position to agree a way of resolving concerns quickly and effectively.

However, where the matter is more serious, or the employee feels that their line manager has not addressed their concerns, or if they prefer not to raise it with them for any reason, they should report it to one of the following **key contacts**:

- Regional Executive Principals;
- Chief Operating Officer;
- Operations Director

Contact details are set out in section 9 of this policy.

Concerns are best raised in writing, setting out the relevant background and history, giving names, dates and places and the reason why the employee is concerned about the situation. However, an employee who does not feel able to put their concerns in writing may do so in person.

The action taken will depend on the nature of the concern but may be subject to:

- internal investigation;
- a police referral;

- a referral to other enforcement agencies; or
- disciplinary procedures if it relates to an employee.

Initial enquiries will take place to decide whether an investigation is necessary. Within 14 working days of a concern being raised ALAT/Bright Tribe will write to the employee who raised the issue:

- acknowledging that the concern has been raised;
- indicating how it proposes to deal with the matter, including whether any further investigations will take place; and
- giving an estimate of the time required to provide a response.

However, sometimes the need for confidentiality may prevent ALAT/Bright Tribe from giving specific details of any investigation or its outcome.

When any meeting is arranged, employees may bring a colleague or union representative. Any companion must respect the confidentiality of any disclosure and any subsequent investigation.

Any staff member who is not happy with the way in which a concern has been handled can raise it with one of the key contacts.

External Disclosures

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. Contacting an external body without initially going through this internal procedure is inadvisable without compelling reason.

However, the law recognises that in some circumstances it may be appropriate to report concerns to an external body. There are certain statutory bodies, or people within them, who have the authority to receive disclosures relevant to the role of that particular body. A list of these bodies can be accessed at the following link:

<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2>

It will very rarely if ever be appropriate to contact the media.

Also, for the avoidance of doubt, employees should not bypass this procedure or air concerns externally especially on social media such as Facebook, twitter, YouTube etc.

ALAT/Bright Tribe strongly encourage employees 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:

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

5. Protecting Whistleblowers and Complainants

It is ALAT/Bright Tribe's hope that employees will feel able to voice whistleblowing concerns openly under this policy. However, if they wish to do so confidentially, every effort will be made to keep their identity secret. If it is necessary for anyone investigating such matters to know the employee's identity, this will be discussed.

In more serious cases and where disciplinary action may have to be taken against other employees, they may well have a right to know the source as well as the nature of the complaints made. In any case ALAT/Bright Tribe is committed to doing as much as possible to ensure that well-being at work does not suffer as a result of the tensions that may result from the making or investigation of complaints.

Staff members are not encouraged to make disclosures anonymously. This may make proper investigation more difficult, or impossible, if further information cannot be obtained. It is also more difficult to establish whether any allegations are credible.

Members of staff who are concerned about possible reprisals if their identity is revealed should come forward to their line manager or one of the key contacts. Appropriate measures may then be employed to preserve confidentiality. ALAT/Bright Tribe will take all reasonable steps to prevent/address such harassment or victimisation.

Whether or not work relationships suffer in this way, it may well be that whistleblowers will find the process of reporting wrong-doing and making statements etc. stressful, particularly where there may be feelings of divided loyalties. In such circumstances the whistleblower may welcome the opportunity to talk through these anxieties and feelings either with their line manager or one of the key contacts.

ALAT/Bright Tribe may take appropriate action against any person found to be:

- Victimising another person for using this procedure
- Deterring any person from reporting genuine concerns under this procedure

For employees this action may involve ALAT/Bright Tribe taking disciplinary action, which may result in dismissal.

ALAT/Bright Tribe may also take disciplinary action against a person who does not act in accordance with this procedure.

6. What if an employee receives a complaint about him/herself?

If the complaint or allegation is at all significant or made in a formal way, particularly by a member of the public or other external users, then employees/workers should inform their line manager or a key contact.

Where a complaint or 'grumble' clearly does not justify taking up the line in this way, making a brief note on a file, diary or similar will often be advisable.

7. Malicious Allegations

If, following appropriate investigation, it is considered that an employee has made a false allegation maliciously, or with a view to personal gain, this will be taken as a most serious matter and may potentially lead to disciplinary action.

8. Training, Communication and Awareness

All managers and staff should be made aware of their responsibilities when a disclosure occurs, and reminded of the need for confidentiality and protecting the employee who has blown the whistle. All managers and other staff who may deal with concerns or investigations under this policy should receive regular and appropriate training which may be provided via on-site sessions, online or otherwise.

9. Key Contacts

Regional Executive Principals	<p>Jeremy Rowe (South East & North West Secondary) jrowe@brighttribe.org.uk</p> <p>Cassandra Williams (South East, Primary) cwilliams@brighttribe.org.uk</p> <p>Judith Greene (North East) jgreene@brighttribe.org.uk</p> <p>Paul Baker pbaker@alat.org.uk</p> <p>kiles@alat.org.uk</p>
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