

## Whistleblowing Policy

Person responsible for this document:	
HR Department	
Reviewed by:	Date:
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Approved by:	Date:
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Cycle of Review:	Yearly
Next Review Date:	October 2024
Ratified by Trustees:	December 2023

## Summary of amendments

Below is a summary of amendments that have been made to this policy.

Where is the update	What is the update
No amendment made to amend the spirit and intent of this policy	
Throughout	Amendments made to terminology relating to ELT, such as removal of the term Executive Principal, which is no longer relevant.
Throughout	Terms and language have been updated to make the policy more consistent with contemporary terminology and practices in the context of whistleblowing and reporting concerns

Please be reminded that whilst this summary is designed to assist staff in identifying updates to policies, it remains the expectation that staff fully read and familiarise themselves with the full contents of each policy.

If you have any questions, please do not hesitate to contact your HR team at [HR@universityofkentacademiestrust.org.uk](mailto:HR@universityofkentacademiestrust.org.uk)

## 1. Introduction

The University of Kent Academies Trust (UKAT) is committed to addressing incidents of fraud, corruption, unethical behaviour, and improper conduct regardless of who commits them or where in the Trust they occur. This way, we can ensure that the services we provide are used in the best interests of the stakeholders.

The Trust wants everyone to feel confident about reporting a concern regarding any such conduct or action, and that this will be properly addressed at the earliest opportunity and not overlooked or ignored. This policy was written in the spirit of the government's [whistleblowing guidance](#).

To encourage and enable you to do this, the Trust will ensure that anyone who uses this policy to report a concern will be protected from any form of detriment, harassment, or victimization, regardless of:

- a) The nature of the concern you report
- b) To whom you report the concern
- c) Regardless of the outcome of reporting the concern

There are several individuals within the Trust to whom you can report a concern.

## 2. Who can raise a concern?

If you undertake work for the Trust, whether you are an employee, a contractor, or a paid or unpaid volunteer, you can use this procedure to report a concern.

## 3. Who can concerns be reported about?

You can report a concern about the behaviour of anyone who works for, or on behalf of, the Trust. This includes employees of the Trust, contractors, or volunteers.

### Trust-Based Staff

You would normally report a concern to your immediate supervisor. If this is inappropriate, then the Chief Executive Officer, Principal, Trust HR Manager, or Chair of Trustees should be contacted. UKAT has a legal responsibility to deal with any issues reported under the Whistleblowing Policy.

## 4. Is there anything that should not be reported through the whistleblowing policy?

The policy should not be used to report concerns about terms and conditions of employment, which would be covered by the Grievance procedure or matters that can be dealt with through another procedure. It is also possible that after reporting a concern, you might be advised about other agreed Trust policies or procedures that may be more appropriate to the nature of the concern. However, if in any doubt, this policy can be used as a starting point for your concerns.

## 5. Misuse of the whistleblowing policy

Reporting a concern unreasonably, with malicious intent, or for personal gain or the gain of others is not acceptable and may lead to disciplinary action under the Trust's Disciplinary Policy.

## 6. Confidentiality

The Trust acknowledges that wherever possible, the confidentiality of anyone wishing to report a concern will be protected. There might, however, be occasions where your confidentiality cannot be protected, for example, when the police are involved. If there is any possibility that your confidentiality cannot be protected, you will be told why this is the case and will be offered appropriate advice and support.

## 7. Anonymously reported concerns

Concerns expressed anonymously will be investigated based on their merits. However, an investigation may be hampered by the inability to gain further information, and the Trust would encourage you to provide some method of contacting you in case further information is required.

## 8. Scope of the policy

A concern can relate to any unethical or unprofessional conduct within the Trust. The policy not only covers incidents that have occurred but also potential unethical or unprofessional conduct. Below are some examples, but please remember this is by no means exhaustive:

- An actual or potential breach of the law
- Possible or actual miscarriages of justice
- The actual or potential abuse (sexual or physical) of young people in the Academy's care
- Potential or actual acts causing damage to the environment
- Acts or potential acts of fraud and corruption or the misuse of public funds
- Acts that could have a detrimental effect on the health and safety of employees, students, or the public
- Actual or potential acts of harassment or bullying of, or by, someone working for the Trust
- Actual or potential acts of racial or sexual discrimination
- Any unethical conduct that causes concern or brings the reputation of the Trust into disrepute
- The deliberate concealment of information that would indicate any of the above

If you are in any doubt as to whether to report a concern, then confidential advice can be sought from the HR Manager or your Trade Union Representative.

**Note:** If, when disclosing a concern, you commit a criminal offense, you may lose your rights to protection from detriment. Again, if in any doubt, seek advice from the sources named above.

## 9. What to consider when reporting a concern

To enable your concerns to be dealt with in a proper and effective manner, here are some guidelines for you to consider:

- Be as clear as possible about the concern you are reporting and to whom and what it relates
- Be as clear as possible about who may be involved, when and where actions may have taken place, etc. Make sure the facts are recorded, i.e., record the dates and times in a diary. This

way, you can be clear about what has been heard or seen and when, rather than rely on memory or hearsay

- Make sure you request that your concerns be addressed under this procedure

## **10. How to report a concern**

No matter with whom you report your concern, it will be processed under this procedure. If the person to whom you report the concern feels it necessary, they may want to refer your concern to either the Chief Executive Officer, Academy Principal, Trust HR Manager, or the Chair of Trustees, whichever is appropriate. If this is the case, you will be contacted first and can discuss any issues this may raise.

### **As a First Point of Contact**

A concern would normally be reported initially to your immediate supervisor. However, this may not always be possible, depending on the nature of the concern and who is involved.

### **Alternatively**

If you feel unable to report the matter to your immediate supervisor, you may wish to contact the Chief Executive Officer, Academy Principal, or Trust HR Manager.

## **11. Concerns against Trustees**

If a concern against a Trustee is received, then this will be treated in the same way as any other concern. The concern will be raised by the Chief Executive Officer and with the Chair of Trustees, who will decide how to handle it.

If the concern is against a Chair of Trustees, then clearly this process cannot be followed. In such circumstances, the concern will be taken directly to the Chief Executive Officer, who will seek further advice. In normal circumstances, such a concern would be referred to the Department for Education for action.

Any concern reported through Whistleblowing that is against a Trustee and concerns any safeguarding matter, the LADO will be informed.

## **12. The procedure to be followed**

To ensure that all concerns reported are taken seriously and are fully investigated, the Trust has agreed on a process to be followed in all cases.

If, at any stage of the process, you are asked or wish to meet with someone addressing the concerns you have reported, you have the option to be accompanied by a workplace colleague, trade union representative, or representative from a professional body.

### **When you first report a concern:**

However, you wish to express your concern, by telephone or in person, you will receive an acknowledgement of your concerns from the person to whom you have reported them. This will be sent to you within 5 working days of being notified of your concern and, if you wish, can be sent to your home address.

The person to whom you have reported your concern will then decide how to progress. This may mean conducting an investigation. This does not mean that the concern is either true or untrue, but

will help to assess the gravity of the complaint and establish the facts. It could be possible that concerns reported may be the result of a misunderstanding or an authorized change in practice.

Within 10 working days of making your concerns known, you will either:

- Have a confidential meeting with the relevant person to further discuss your concerns
- Have received, in writing, an outline of how the relevant person intends to address the concerns reported

Depending on the nature of the concerns, you may have subsequent meetings with the relevant investigating persons. These can be held "off-site" if desired.

### **13. The outcome of your concern**

Having reported the concern, the Trust recognizes that you will need to be assured that the issues have been addressed. You will be kept informed on a regular basis of what actions are being taken and the results of any investigations.

In some situations, such as referrals to external bodies, it may not be appropriate (or legally possible) to supply you with the full information discovered. However, the reasons for this will be explained at that time.

### **14. Taking your concern further**

If you have gone through all these channels and you still have concerns or feel that the issues have not been fully or appropriately addressed, you can contact the Chair of Trustees directly, or have them contacted on your behalf, to discuss your concern in confidence.

However, you should not refer the matter outside the organization without first ensuring that all other possible avenues have been exhausted.

Where you feel unable to report an issue within the Trust, or feel that your genuine concerns are not being addressed, other whistleblowing options can be found via: [Government Whistleblowing Information](#).

The [NSPCC](#) is available as an alternative route for staff who do not feel able to report concerns regarding child protection failures internally or have concerns about the way a concern is being handled by their school or college. Staff can call 0800 028 0285 – the line is available from 8:00 AM to 8:00 PM, Monday to Friday, and email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk).

### **15. And finally**

If you have a concern about the conduct of the Trust or the actions of anyone who provides work for the Trust, be they employees, contractors, or volunteers, we want you to feel confident that you can bring it to the attention of others.

Only when people are prepared and feel able to report such concerns without the fear of reprisals can we have confidence in the integrity and honesty of the Trust.