



**CORNWALL EDUCATION**  
LEARNING TRUST

# **Whistleblowing Policy**

**Author:** Sarah Karkeek  
**Adopted by (body):** CELT Trustees  
**Approved date:** 22/04/2020  
**Review date:** 01/04/21

## **Contents**

<b>1. Introduction .....</b>	<b>3</b>
<b>2. Scope and purpose .....</b>	<b>3</b>
<b>3. What is Whistleblowing.....</b>	<b>4</b>
<b>4. How to raise concern .....</b>	<b>5</b>
<b>5. How the CELT Board will Respond.....</b>	<b>6</b>
<b>6. How the Matter can be Taken Further.....</b>	<b>7</b>
<b>7. Contacts .....</b>	<b>8</b>

## 1. Introduction

This policy applies to all employees of Cornwall Education Learning Trust (CELT), Trustees, Local Governing Board members, consultants, contractors, casual and agency staff and volunteers (collectively referred to as employees in this policy).

The Board of Trustees of Cornwall Education Learning Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees who have serious concerns about any aspect of the Trust's work to come forward and voice those concerns as soon as possible.

This procedure makes it clear that you can do so without fear of victimisation, subsequent discrimination or disadvantage for raising a legitimate concern. It is intended to encourage and enable employees to raise serious problems within the Trust, rather than overlooking a problem or "blowing the whistle" outside.

The requirement to have clear whistleblowing procedures in place is set out in the Academies Financial Handbook. This procedure does not form part of any employee's contract of employment and may be amended at any time.

The Board of Trustees has appointed a Trustee with specific responsibility for this procedure. **The responsible Trustee** (referred to as the 'Trust's Monitoring Trustee' in this procedure) **is Ashley Mann.**

## 2. Aims and Scope of this Procedure

This procedure aims to:

- encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
- provide avenues for you to raise those concerns and receive feedback on any action taken;
- ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied; and
- reassure you that you will be protected from possible victimisation if you have a reasonable belief that you have made any disclosure in good faith.

Personal staff grievances (for example bullying, harassment, discrimination) are not normally covered by this procedure and should be raised through the grievance or complaints procedures as appropriate.

### 3. What is Whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. The wrongdoing will typically (although not necessarily) be something an employee has witnessed at work. The law provides protection under the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998) for workers who raise legitimate concerns about specified matters or "qualifying disclosures". A qualifying disclosure is one made in the public interest by an employee who has a reasonable belief that wrongdoing or dangers at work have occurred and that fall outside the scope of other procedures. These may relate to something which:

- is against the Trust's Financial Regulations and policies;
- is against the Trust's policies and procedures;
- falls below established standards of practice; or
- amounts to improper conduct, including something you believe may be:
  - criminal activity;
  - miscarriages of justice;
  - danger to health and safety;
  - damage to the environment;
  - failure to comply with any legal or professional obligation or regulatory requirements;
  - bribery;
  - financial fraud or mismanagement;
  - negligence;
  - breach of our internal policies and procedures [including our Code of Conduct];
  - conduct likely to damage our reputation;
  - unauthorised disclosure of confidential information;
  - other unethical behaviour; or
  - 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. 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.

If you are uncertain whether something is within the scope of this policy you should seek advice from a member of CELT's senior leadership team.

## **Confidentiality**

All concerns will be treated in confidence and every effort will be made to protect your identity if you so wish. At the appropriate time, however, you may need to provide a statement or act as a witness and will be expected to co-operate fully with the investigation and disclose all relevant information.

## **Anonymous Allegations**

This procedure encourages you to put your name to your concern as anonymous allegations may often be difficult to substantiate/prove if you have not provided all the information needed.

Concerns expressed anonymously are much less powerful but will be investigated unless the Trust's Monitoring Trustee, in consultation with the Chair and Vice Chair of Trustees, agrees there is insufficient evidence to proceed.

## **Untrue Allegations**

If you raise a concern in good faith, but it is not subsequently confirmed by the investigation, no action will be taken against you. If, however, you make an allegation frivolously, maliciously, vexatiously or for personal gain, disciplinary action may be taken against you.

## **4. How to Raise a Concern**

As a first step you should normally discuss concerns with your Headteacher/Head of Department/Line Manager and inform him/her you intend to use this procedure. However, the Board of Trustees recognises that on occasion this may not be appropriate.

Whistleblowing concerns should be made in writing wherever possible, but may be raised verbally, with **Ashley Mann**, the Trust's Monitoring Trustee, or with **Lesley Sale**, Human Resources.

Although you are not expected to prove beyond doubt the truth of your concerns, you will need to demonstrate that you have reasonable grounds to raise them.

Where employees fail to report their concerns, they may themselves become implicated and consequently the Trustees may treat failure by an employee to report such matters as a serious matter which could lead to disciplinary action.

You may wish to obtain assistance in putting forward your concern, from a Trade Union representative or a workplace colleague. You may choose to be represented by a Trade Union representative or workplace colleague at any meetings which are required.

## **5. How the CELT Board will Respond**

In order to protect individuals and the Trustees, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures (for example Child Protection issues) will normally be referred for consideration under those procedures.

The person with whom you have raised your concern will inform the relevant Trustees of the facts. The Trustees will write to you, within **ten working days**, with the following:

- acknowledgement that the concern has been received;
- an indication of how the concern will be dealt with;
- an estimate of how long it will take to provide a full response;
- whether any initial enquiries have been made; and
- whether further investigations will take place, and if not, why not.

The Trustees will inform you in writing of the outcome of any investigation, or any action taken, subject to the constraints of confidentiality and the law.

## **The Responsible Officer**

The Trust's Monitoring Trustee has overall responsibility for the maintenance and operation of this policy within the Trust. The Trust's Monitoring Trustee will maintain a record of concerns raised and the outcomes and will report as necessary to the Board. The recording and reporting procedure will be in a form which ensures your confidentiality.

### **6. How the Matter can be Taken Further**

This procedure is intended to provide you with a route within the Trust to raise concerns, but if you do not feel your concern has been addressed adequately you may raise it with an independent body such as one of the following:

- Education & Skills Funding Agency
- Regional Schools Commissioner
- your Trade Union
- your local Citizens Advice Bureau
- a relevant professional body or regulatory organisation
- a relevant voluntary organisation
- the police
- the Local Government Ombudsman

You have a duty to the Academy and the Trust not to disclose confidential information. This does not prevent you from raising concerns with an independent body referred to above or from seeking advice from Protect, formerly Public Concern at Work, a registered charity which advises on serious malpractice within the workplace in accordance with the provisions of the Public Interest Disclosure Act 1998. Further information is available at <http://www.protect-advice.org.uk> or by telephoning their advice line on 0203 117 2520.

## 7. Contacts

Trust Lead	Lisa Mannall Email: <a href="mailto:lmannall@cetrust.org">lmannall@cetrust.org</a>
Deputy Trust Lead	Sarah Karkeek Email: <a href="mailto:skarkeek@celtrust.org">skarkeek@celtrust.org</a>
Chair of CELT Board	Geoff Brown Email: <a href="mailto:gbrown@celtrust.gov.org">gbrown@celtrust.gov.org</a>
Trust's Monitoring Trustee	Ashley Mann Email: <a href="mailto:amann@celtrust.gov.org">amann@celtrust.gov.org</a>
Human Resources	Lesley Sale Email: <a href="mailto:lsale@celtrust.org">lsale@celtrust.org</a>
CELT's external auditors	Francis Clark LLP Lowin House, Tregolls Road,  Truro TR1 2NA Telephone: 01872 276477 Fax: 01872 222783
MARU – Cornwall Council Multi Agency Referral Unit (if you are worried about a child or young person)	0300 123 1116
Protect, formerly Public Concern at Work (Independent whistleblowing charity)	Helpline: 0203 117 2520 E-mail: <a href="mailto:whistle@pcaw.co.uk">whistle@pcaw.co.uk</a> Website: <a href="http://www.protect-advice.org.uk">www.protect-advice.org.uk</a>
NSPCC Whistleblowing Advice Line (for professionals with concerns about how child protection issues are being handled in their organisation)	Telephone: 0800 028 0285 E-mail: <a href="mailto:help@nspcc.org.uk">help@nspcc.org.uk</a>

Should you require further information, please contact

**The Governance Officer.**

**Cornwall Education Learning Trust (CELT)**

**Atlantic Centre**

**Trenance Leisure Park**

**Newquay**

**Cornwall**

**TR7 2LZ**

**Telephone: 01637 800280**

**Email: [ccarter@celtrust.org](mailto:ccarter@celtrust.org)**

**[www.celtrust.org](http://www.celtrust.org)**