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<b>Date of next review:</b>	October 2025	<b>Owner:</b>	Head of Governance



# Whistleblowing Policy & Procedure

*Enabling a world of freedom, opportunity and fulfilment*

## History of Policy Changes:

Date	Page	Change	Origin of Change
14/03/2022	1	Updated policy owner	Trust
14/03/2022	All	Updated terminology in respect of school/academy/Trust	Trust
14/03/2022	All	Updated job titles	Trust
14/03/2022	4	Clarification on the role of the Investigating Officer	Trust
27/04/2022	4	Addition of ESFA whistleblowing disclosure	Trust
13/09/2022	3 & 4	Additional reporting level added beyond Chair of Trust Board	Trust

## 1. Policy Statement

Magna Learning Partnership ('MLP') is committed to the highest standards of openness, probity and accountability. This Whistleblowing Policy and Procedure supports this commitment.

This policy gives employees and others with genuine concerns about malpractice or wrongdoing in the Trust and/or academy a way to voice those concerns without fear of victimisation.

Sometimes people within or close to an organisation realise that there is something wrong. Sometimes people are reluctant to act upon their concerns because they think that they are being disloyal, or because they are afraid that they might be victimised if they speak up.

MLP's Grievance Procedure makes provision for MLP employees to lodge a concern relating to their own employment, and our Complaints Procedure sets out how complaints other than an employee grievance will be addressed by MLP.

This Whistleblowing Policy is intended to complement those procedures by covering what will happen where a concern is about a risk, a malpractice, or wrongdoing, and about any activity which may be illegal or unethical – especially if you think that it may result in harm. This may include, but is not limited to, one or more of the following:

- an issue of safeguarding;
- a criminal offence;
- someone failing to comply with a legal or regulatory requirement;
- a health and safety violation;
- a suspicion of fraud, corruption, bribery or blackmail;
- a bullying culture (across a team or academy);
- attempts to hide one, or more, of the above.

Concerns or allegations which fall within the scope of specific procedures, e.g. child protection or financial irregularities will normally be referred for consideration under those procedures.

## 2. Definitions

The 'Nominated Person' is the CEO, the Chair of the Trust Board if the concern relates to the CEO and a Member if the concern relates to the Chair of the Trust Board.

## 3. Aims

The purpose of this policy is to provide you with the help and support you need to speak up and be confident that you can do so safely. We will take your concerns seriously and ensure that they are dealt with promptly and fairly.

#### 4. How to raise a Concern

Initial concerns should be raised with the CEO. If you believe that this person is implicated in the suspected wrong-doing then you should approach the Chair of the Trust Board or a Member (as per 3. Definitions) – contact can be facilitated via the Head of Governance ([csawyer@magnalearningpartnership.org.uk](mailto:csawyer@magnalearningpartnership.org.uk)).

As soon as reasonably possible the Nominated Person will contact you to arrange to discuss your concerns. Before this discussion, it would be helpful if you write down what you consider the problem to be, giving names, dates and places where possible. If there are any other documents that you think might be helpful, please let the Nominated Person have copies. You are advised to take a friend, colleague or professional association/union representative with you to any meeting with the Nominated Person.

You are encouraged to raise your concern in person, or through your professional association/union representative on your behalf, because concerns that are expressed anonymously are difficult to investigate.

However, the Trust/academy will exercise its discretion in deciding whether to investigate an anonymous allegation. The factors taken into account will include:

- the seriousness of the issues raised;
- the credibility of the allegation; and
- the likelihood of being able to confirm the allegation from attributable sources.

#### 5. How we will Respond

After the initial discussion or meeting, the Nominated Person will arrange for discreet initial enquiries to be made to decide whether an investigation is appropriate and if so, what form it should take.

The Nominated Person will write to you within 10 days of your initial meeting to:

- acknowledge that your concern has been received
- outline our understanding of what the issues are; and
- indicate how we propose to deal with the matter.

If the Nominated Person decides that it is appropriate for an investigation to be carried out, this will either be done by them, another person or a Governor/Trustee or an independent professional – the Investigating Officer (the Investigating Officer must be independent of the suspected wrongdoing). It may sometimes be necessary for a concern to be referred to the police, an external auditor, or for it to be the subject of an independent enquiry. Where it is established that the complaint involves issues of bullying or unlawful discrimination, it will be necessary to involve MLP's Head of Human Resources, and of course any safeguarding issue may be referred to the Local Authority.

If an investigation is carried out, you will always be informed of the final outcome, though it might not be possible to give you full details of the outcome if it contains personal details of a third party, because we have a duty to protect personal information under the Data

Protection Act. Similarly you will not be informed of any matter which either the police or the Local Authority advise should not be disclosed.

## 6. How will the Trust treat Whistleblowers?

If you make an allegation in good faith but it is not confirmed by the investigation, no action will be taken against you. If you knowingly make malicious allegations, disciplinary action may be taken against you.

Disciplinary action will be taken against any member of staff who tries to stop another employee from raising a concern or who is responsible for any act of recrimination or victimisation against an employee who raises a concern.

Where an employee may have been party themselves to activity capable of amounting to gross misconduct on which they are now 'blowing the whistle' this could be considered in mitigation. They are not, however, exempt from disciplinary action.

Disciplinary action may be taken against employees if they contact the media with concerns about conduct at work without first following the steps set out in this policy.

The MLP Trust Board will make every effort to protect an employee's identity when s/he raises a concern and does not want her/his name to be disclosed. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the employee may be required as part of the evidence.

If you raise a concern, you will be given the opportunity to feedback any issues or problems you may have experienced as a result. The purpose of this is to ensure that employees who have raised concerns in good faith do not suffer as a result.

## 7. Queries

If you have any queries about this policy please contact the Head of Governance.

## 8. Disclosure to External Organisations

If you have raised a concern under this policy and you are not satisfied with the outcome of any investigation then you should contact the appropriate external agency.

If you believe that there is wrong-doing amounting to criminal activity you should contact the police (and the Local Authority safeguarding officer as appropriate).

If you believe that health and safety is at risk, contact the Health and Safety Executive.

If you believe that MLP is failing in its obligations under its Funding Agreement with the Secretary of State for Education please contact the Education Skills Funding Agency, as per here: <https://www.gov.uk/guidance/how-esfa-handles-whistleblowing-disclosures>