

# Speak Up (Whistleblowing) Policy

Audience:	All REAch2 Employees Contractors and Volunteers Local Governing Bodies Cluster Boards Trustees
Ratified:	REAch2 Risk & Audit Committee July 2024
Policy owner:	Director of Improvement
Review frequency:	Every 3 years – July 2027

At REAch2, our actions and our intentions as school leaders are guided by our Touchstones.



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## Policy Overview

### Why do we have this policy?

A whistleblowing policy is about the ways in which concerns about malpractice may properly be raised within REAch2 Academy Trust (REAch2). Speaking up about any concern you may have at work is a really important thing to do. Why? Because we look to everyone to help us to maintain high standards so we can continue to deliver exceptional opportunities for learning for children safely at REAch2.

All organisations face the risk of things going wrong from time to time and a culture of openness and honesty is essential to prevent such situations occurring or to address them when they do.

We want to:

- encourage you to report a concern as soon as possible,
- provide you with guidance on how to raise a concern, and
- give you assurance that you will be taken seriously,
- assure you that your confidentiality will be respected.

The Trust Board supports staff raising concerns and wants you to feel free to speak up. Please don't feel worried about raising a concern. We'd much rather hear from you than not, so we have a chance to do something about it.

The Trust has set up a dedicated email address for whistleblowing. You can raise a concern to this address [speakup@reach2.org](mailto:speakup@reach2.org). Emails to this address are received by the REAch2 Internal Auditor.

This policy is not for grievances against business decisions made by Reach2 or any of its academies. Nor is it an alternative to disciplinary or grievance procedures.

Nothing within this Policy is intended to prevent staff from complying with their statutory obligations in accordance with Keeping Children Safe in Education (DfE) and the REAch2 Safeguarding Policy. If a child is in danger or at risk of immediate harm a referral should be made to Children's Social Care and/or the Police immediately. Anyone can make a referral.

### How This Relates to National Guidance and Statutory Requirements

There are specific criteria that need to be met for an individual to be covered by whistleblowing legislation when they raise a concern. These requirements are identified within the Public Interest Disclosure Act 1998. To help you consider whether the Whistleblowing Policy is the right one for you to raise your concern, please contact the REAch2 Internal Auditor at [speakup@reach2.org](mailto:speakup@reach2.org), your Trade Union, or a legal representative.

If you want to blow the whistle to somebody outside REAch2, below are the prescribed persons and bodies you can make a disclosure to regarding education.

#### **Office of Qualifications and Examinations Regulation (Ofqual)**

For matters in relation to which the Office of Qualifications and Examinations Regulation exercise functions under the Apprenticeships, Skills, Children and Learning Act 2009.

## Secretary of State for Education

Contact them about matters relating to the independent schools (including academies and free schools) in England

'Protect', the independent whistleblowing charity, offers a confidential helpline and advice. Full contact details for the above are provided at the end of this policy.

## Policy in Detail

### 1. Who can raise a concern?

Anyone working for the Trust can raise a concern. This includes: employees, volunteers, casual or agency staff and governors. This policy will be available on REAchIn and the REAch2 website to encourage anyone to raise a concern if they have one.

### 2. What do we want to know about?

We want to know about any concern which may be 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 school);
- Examination/test practice:
- Improper conduct or unauthorised use of public funds:
- the deliberate concealing information about any of the above.

Don't wait for proof. We would like you to raise the matter while it is still a concern. It doesn't matter if you turn out to be mistaken. If you have reason to be troubled, we'd rather hear from you.

If you have a concern about an employment matter, which affects only you, it may be better suited to our Grievance Policy. If you feel comfortable speaking to HR, they will be able to advise you. Email [hrsupport@reach2.org](mailto:hrsupport@reach2.org) or call your local HR Advisor. Otherwise, we can talk to you about this when you raise your concern with us.

### 3. Feel safe about raising your concern

If you raise a concern under this policy, you will not be at risk of losing your job or any form of reprisal as a result. This may be a difficult or anxious time and we hope you will be reassured that you will be protected and supported by the Trust throughout the process and afterwards.

We are keen to make sure that anyone who raises a concern has appropriate support and is provided with the contact information for an external, independent and confidential support helpline if they want it. If you are a member of a Trade Union or with a professional association, you can talk to them before raising a concern, but you don't have to.

Please be assured that to disclose a genuinely held suspicion that later proves to be wrong is fine. There are no negative consequences for someone who discloses a genuinely held suspicion, whether right or wrong.

Victimisation or intimidation of someone who has raised a concern will not be tolerated in the Trust and will be formally investigated as a potential disciplinary matter.

Senso monitors all accounts across the Trust and may pick up on certain words in an email or message typed on a REAch2 device. If you are concerned about this you can contact Michelle Roe by telephone or Teams call or simply send an email to [speakup@reach2.org](mailto:speakup@reach2.org) requesting that you are contacted with no further information contained within the message.

#### **4. Vexatious / Malicious Allegations**

REAch2 will assume that any concern is raised in good faith takes its responsibilities to children and staff very seriously. If you are involved in making malicious or vexatious allegations, this will be viewed seriously and you may face disciplinary action. There is a balance to be struck between the right of the individual member of staff to speak freely on a range of matters and the right of the Trust to protect itself against false and malicious accusations.

A malicious allegation is one which is untrue and which sets out to harm someone else.

A vexatious allegation is one which is pursued, solely to harass and is without foundation.

You can raise a concern to this email: [speakup@reach2.org](mailto:speakup@reach2.org). Emails to this address are received by the REAch2 Internal Auditor.

#### **5. Confidentiality**

We hope that you will feel comfortable talking to us, but we also appreciate that you may prefer to raise your concern confidentially. This means that, whilst you are willing for your identity to be known to the person you report your concern to, you don't want anyone else to know your identity. We will keep your identity confidential, if that's what you want, unless we are required to disclose it by law, for example to the police.

If you do choose to raise a concern anonymously it may be more difficult for the matter to be investigated and for you to be provided with feedback. For this reason, where you wish to raise your concern anonymously, this may best be done through your trade union.

#### **6. How to raise a concern**

In many circumstances the easiest way to raise a concern will be to speak to your line manager. Depending on the nature of the concern, they may be able to resolve an issue quickly and effectively.

You can raise your concern in person, by phone, in writing or by email. Please be ready to explain as fully as you can the information and circumstances that give rise to your concern.

If you think it isn't appropriate to talk to your line manager, you can talk to any one of the following who will be there to listen:

- a Deputy Headteacher, or Headteacher,
- a member of the Local Governing Body,
- a Head of Service
- our Internal Auditor.

All these people will be able to listen to your concern, take action under this policy and give you information about what will happen next, or where you can go for more support.

If, for any reason you don't feel comfortable talking about it to anyone within the Trust, you can talk to your union representative, or to a trustee.

You can also raise a concern to this email: [speakup@reach2.org](mailto:speakup@reach2.org). Emails to this address are received by the REAch2 Internal Auditor.

Independent information and advice for individuals concerned about whistleblowing can be obtained from your trade union or professional association, also from 'Protect' (contact details at the end).

## **7. What will we do with your concern?**

REAch2 is committed to listening to our staff and to learning lessons on what we can do better. If you raise a concern it will be dealt with seriously and sensitively.

The person hearing your concern will acknowledge receipt of your concern within two working days and a meeting, or a telephone call, will be arranged as soon as possible to gather all the information. This will be noted in a 'Raise a Concern' form (Appendix 1).

If you wish, you can be accompanied by a Trade Union or professional association representative at any meeting, or telephone conversation. The priority at this stage is for us to fully understand the nature of your concern.

The person hearing your concern will make a note of the date your concern was raised, whether you requested confidentiality and a summary of your concerns and provide a copy of this to you. They will provide you with a copy of this policy and will let you know what is happening to look into your concern.

Where they are unable to resolve the matter quickly – usually within two working weeks – the matter will be given to the Internal Auditor to decide on the next steps.

### 7.1 Investigation

The Internal Auditor will consider the information provided and determine the next steps depending on the circumstances, the evidence available and the context of the disclosure.

Should the Internal Auditor determine that a further fact-finding exercise or an investigation is required, then we will carry out a proportionate investigation using someone suitably independent (usually from a different part of the organisation) and properly trained.

Where an anonymous concern is received, the Headteacher or Internal Auditor will determine whether to investigate based on the seriousness of the issue raised and the likelihood of confirming the allegation with other sources.

We will reach a conclusion within a reasonable time scale and notify you.

Where we can, we will carry out a single investigation. The investigation will be evidence based and will produce a report that focuses on identifying and rectifying any issues and on learning lessons to prevent problems recurring.

Should the Internal Auditor decide that your concern would be better looked at under another process, for example our policy for dealing with bullying and harassment, or our grievance policy, then we will discuss it with you and provide you with the appropriate support and guidance.

## 7.2 Other options

Alternatively, the Internal Auditor may decide that:

- there has been a breach of criminal law, in which case the police will be informed immediately. No further action may be taken in order to avoid undermining a police criminal investigation.
- the disclosure is sufficiently serious, or urgent, that they take it immediately to the Chair of the Trust Board.
- it is inappropriate to share the disclosure with the Chair of the Trust Board, e.g. if the disclosure concerns, or involves the Chair, and may take the disclosure to another trustee, or to an external agency.
- that the disclosure was potentially malicious and that alternative action is appropriate.

## **8. Concerns about a third party**

The aim of this policy is to provide a process for reporting, investigating and remedying any wrongdoing in the workplace. In most cases it will not be necessary to alert anyone externally.

The law recognises that in some circumstances a concern is so serious that it should be reported to an external body, such as a regulator.

If a concern relates to the actions of a third party, such as a contractor, supplier or service provider, the law allows a concern to be raised with a third party, however, we encourage concerns to be reported internally first.

## **9. How will we learn from your concern?**

The focus for any investigation will be on improving what we do. Any concerns raised to the Internal Auditor will be reviewed by the Risk and Audit Committee of the Trust Board and, where improvements are identified, we will ensure they are implemented quickly and monitor them to ensure they are working effectively.

The Risk and Audit Committee has the authority to initiate further investigations if they consider it necessary.



As part of the application of this policy, the Trust may collect, process and store personal data in accordance with the General Data Protection Regulations (GDPR), although the identity of anyone who has raised a concern will not be included in the reports to the Risk and Audit Committee.

## **10. Communicating with you**

We will treat you with respect at all times and we thank you for raising your concern. We will discuss your concerns with you to ensure we understand exactly what you are worried about. We will tell you how long we expect it will take to look into your concern and we will keep you up to date with progress.

Wherever possible, we will share the outcome of the investigation with you, whilst respecting the confidentiality of others. Sometimes, the need for confidentiality, or compliance with the GDPR, may restrict how much can be shared. For example, it will not be possible to feedback to you about any action applied to other individuals. In all cases, any information about an investigation should be treated as confidential.

If you wish to retain your anonymity you will need to nominate a representative to whom correspondence may be directed in order to keep you informed.

While REAch2 cannot always guarantee communicating an outcome for you, this policy provides a process to deal with concerns fairly and in an appropriate way. If you are not happy with the way in which a concern has been handled, you may contact the Chair of Trustees or our Internal Auditor. Contact details are set out at the end of this policy.

## **Policy Review**

We will review the effectiveness of this policy at least every three years and make changes as appropriate.

## Appendices

### Appendix 1 – Speak Up (Whistleblowing) Contacts

<b>Internal Auditor and Whistleblowing Officer</b>	Michelle Roe Email: <a href="mailto:Michelle.roe@reach2.org">Michelle.roe@reach2.org</a> Tel: 07387 411652
<b>Chair of the Trust Board</b>	Gavin Robert Email: <a href="mailto:gavin.robert@reach2.org">gavin.robert@reach2.org</a>
<b>Protect (Independent whistleblowing charity)</b>	Helpline: 020 3117 2520 E-mail: <a href="mailto:whistle@protect-advice.org.uk">whistle@protect-advice.org.uk</a> Website: <a href="https://protect-advice.org.uk">https://protect-advice.org.uk</a>
<b>Office of Qualifications and Examinations Regulation (Ofqual)</b>	Address: Whistleblowing and Malpractice, Complaints Investigation Manager, Ofqual, Earlsdon Park, 53–55 Butts Road, Coventry CV1 3BH
<b>Secretary of State for Education</b>	Ministerial and Public Communications Division Department for Education Piccadilly Gate Store Street Manchester M1 2WD  Tel: 0370 000 2288 Website: <a href="http://www.gov.uk/contact-dfe">www.gov.uk/contact-dfe</a>

## Appendix 2 – Raising a concern form

Raising a Concern			
School (if applicable)			
Name of person raising concern		Date received	
Name and title of person receiving concern		Date received	
Name and title of person dealing with concern		Date received	
Details of concern			
Action taken			
Concern resolved	Yes/no	Date	
If yes			
HT informed:	Yes/no	Date	
Internal auditor informed	Yes/no	Date	
Included on whistleblowing log	Yes/no	Date	
Person raising concern informed	Yes/no	Date	
If no			
Date passed to internal auditor		IA received date	
Action taken by internal auditor			
Concern resolved	Yes/no	Date	
Further action needed			
Person raising concern informed	Yes/no	Date	
Included on whistleblowing log	Yes/no	Date	

Please send completed form to the internal auditor at [speakup@reach2.org](mailto:speakup@reach2.org)