

WHISTLEBLOWING POLICY

Responsible	Director of Professional Services
Approved by	Board of Trustees
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Purpose

Better Futures Multi Academy Trust aims to act with transparency, respect, probity and high ethical standards. This policy provides employees and workers with a means for raising genuine concerns of suspected bribery, breaches of the law and other serious wrongdoings.

Scope

This policy applies to Better Future's Multi-Academy Trust which will be referred to as BFMAT for the purposes of the policy.

Terminology for job titles may vary across BFMAT. If this is the case, the terminology used within this policy is deemed to apply to staff/functions in equivalent roles and positions and of equivalent standing.

Definitions

A summary of key terminology used within the Policy, if useful and applicable.

*Better Futures Multi Academy Trust will be referred to as 'BFMAT'
Employees and workers will be referred to as 'workers'*

Equality Statement

Equality, freedom and treating all persons with dignity and respect are fundamental human rights. As such, BFMAT is committed to making these central in all its work.

A diverse student body and workforce benefit BFMAT's role as a provider of high quality education and employment in a modern and ever-changing society. BFMAT is firmly committed to the promotion of equality and will not unlawfully discriminate, or tolerate discrimination (direct or indirect, harassment or victimisation) on grounds of age, disability, ethnicity (including race, colour, caste and nationality), gender identity, marriage or civil partnership, pregnancy or maternity, religion or belief, sex and sexual orientation; this includes discrimination by association or due to perception. This policy will operate in furtherance of this.

The Policy

1. Introduction

1.1. This policy relates to conduct known as 'whistleblowing' where under the Public Interest Disclosure Act workers may be protected when they raise concerns relating to:

- conduct which is an offence or a breach of the law;
- disclosures related to miscarriage of justice;
- health and safety risks, including risks to the public as well as other employees;
- the abuse of a vulnerable person;
- damage to the environment;
- the unauthorised use of public funds;
- misreporting of performance information;
- possible fraud and corruption;
- other unethical conduct.

1.2. BFMAT encourages all workers to raise any genuine concerns about suspected wrongdoing at the earliest practicable stage.

1.3. The policy is primarily for concerns where the interests of others or the MAT itself is at risk and there is a public interest in workers making the disclosure, as laid out in paragraph 1.1. If concerns are about a workers own personal employment position, then its more likely that another policy would be more appropriate. Local Academy HR Managers can advise on the best route – if there is any doubt workers should still raise their concerns.

1.4. This policy also seeks to balance the encouragement of an open culture against the need to protect other workers against vexatious allegations or allegations which are not well founded.

1.5. This policy applies to all employees of the MAT, including apprentices, casual workers, home based casual workers, employees of subcontractors and any agency workers

2. Protected Disclosures

2.1. The law protects workers who, out of a sense of public duty, want to reveal suspected wrongdoings or malpractice.

2.2. The law allows workers to raise what it defines as a 'protected disclosure'. In or to qualify as a protected disclosure, a disclosure must relate to a specific subject matter (as outlined in paragraph 1.1) and it must be made in an appropriate way (see section 3).

2.3. A protected disclosure must, in the reasonable belief of the worker making it, be made in the public interest.

- 2.4. A protected disclosure must consist of information and not merely be allegations of suspected malpractice.
- 2.5. A worker making a disclosure can expect their matter to be treated confidentially and, where applicable, their name will not be disclosed to anyone implicated in the suspected wrongdoing, without their prior approval.
- 2.6. BFMAT will take all reasonable steps to ensure that any report of recommendations, or other relevant documentation that is produced, does not identify the worker making the disclosure without their written consent, or unless there is a legal obligation to do so.
- 2.7. No formal disciplinary action will be taken against a worker on the grounds of making a disclosure made under this policy. This does not prevent BFMAT from bringing disciplinary action against a worker where there are grounds to believe that a disclosure was made maliciously or vexatiously, or where a disclosure is made outside of the MAT without reasonable grounds.
- 2.8. A worker will not suffer dismissal or any detrimental action or omission of any kind (including formal pressure or any form of victimisation) by BFMAT for making a disclosure in accordance with this policy. Equally, where a worker is threatened, bullied, pressurised or victimised by a colleague for making a disclosure, disciplinary action will be taken by BFMAT against the colleague in question.

3. How to make a disclosure

- 3.1. If you have a concern about malpractice or any information relating to any of the situations in paragraph 1.1 then the details should be promptly disclosed to their line manager
- 3.2. If it is not appropriate to make such a disclosure to their line manager, a worker can raise the issue with the HR manager or Principal within the local Academy
- 3.3. If the worker feels unable to raise the issue with someone within the local Academy, then the CEO or Chair of the BFMAT Board of Trustees would be the point of contact.
- 3.4. If the disclosure relates to the CEO or the Chair of the BFMAT Board of Trustees, then the issue can be raised with the Company Secretary.
- 3.5. The person receiving your disclosure will consider the nature of your concerns and decide on the most appropriate course of action.

External Disclosure

- 3.6. This policy has been written with the intention of providing sufficient reassurance to workers so that disclosures can be raised within the MAT. However, all workers have the right to make a disclosure to an external body where there are reasonable grounds to do so and in accordance with the law and where the disclosure does not breach and confidentiality obligations or damage the reputation of BFMAT.
- 3.7. The full list of 'prescribed' organisations and bodies can be found at the following GOV.UK website.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/18334

3.8. Workers can also make disclosures on a confidential basis to a practising solicitor or barrister.

4. Further Assistance

4.1. BFMAT will not tolerate any harassment or victimisation of workers who make disclosures. If at any stage of this procedure a worker feels that they are being subject to informal pressures, bullying or harassment due to make a disclosure, they should raise this matter in writing to the CEO, the Chair of the BFMAT Board of Trustees or the Company Secretary as appropriate.

4.2. For confidential advice on whistleblowing the charity, Protect, can be contacted:

Whistleblowing Advice Line: 020 31172520

<https://protect-advice.org.uk>