



EMMANUEL
SCHOOLS FOUNDATION

Whistleblowing Policy



Last review: November 2021
Next review: November 2023

Whistleblowing Policy

At Emmanuel Schools Foundation (“Trust”) we provide an education of character underpinned by our Christian ethos. The Trust is committed to the highest standards of openness, probity and accountability. In line with this commitment, the Trust encourages employees with serious concerns about the Trust’s work to come forward and voice those concerns.

This policy:

- provides the basis on which employees can raise any concerns they may have, and receive feedback on action taken
- gives protection from reprisals or victimisation for ‘whistleblowing’ in good faith.

There are existing procedures in place that enable employees to raise grievances about their own employment. This policy is not intended to replace those procedures but to cover concerns that fall outside the scope of individual grievances.

The concern may be about something that:

- is unlawful
- is against Trust policies
- amounts to improper conduct
- seems likely to harm a member of the public, student, parent, or the environment
- represents a cover up of these sorts of issues

The Trust recognises that the decision to report a concern can be difficult, not least because of the fear of reprisals from those responsible for the malpractice. The Board will not tolerate harassment or victimisation and will take all possible measures to protect employees who raise concerns in good faith. In addition, employees are protected in law by the Public Interest Disclosure Act 1988, which gives employees protection from detriment and dismissal where they have made a protected disclosure, providing the legal requirements of the Act are satisfied.

Although it is easier to investigate and verify complaints if complainants are prepared to give their names, the Trust will protect the identity, so far as is reasonably practicable, of employees who raise concerns and do not want their name to be disclosed. However, in certain circumstances the Trust may be legally obligated to disclose your identity (for example to the Regulator). It should also be appreciated that the subsequent investigation may reveal the source of the information, and statements made by the employees who raised the issue may be required as part of the evidence.

If an allegation is made in good faith but is however not confirmed by the investigation no action will be taken against the employee. However, the Trust will view very seriously any deliberately malicious or vexatious allegations it receives. Such allegations will be regarded as a disciplinary offence and disciplinary action against them is likely which could lead to dismissal.

How is a concern raised?

The earlier employees express their concerns the earlier it is possible to take action.

- **Do not** approach or accuse the individuals directly
- **Do not** try to investigate the matter
- **Do** convey any suspicions to someone with the proper authority to deal with it

As a first step, an employee should normally raise concerns with their immediate line manager, a Vice Principal or an Executive Principal. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice.

If the accusation is made against the Principal, the matter should be referred directly to the Chair of Governors. No other member of staff should seek to investigate such a matter in any way whatsoever nor should they discuss the matter with any person other than the Nominated Person as defined above.

Concerns are best raised in writing. This should set out the background and history of the concern, giving names, dates and places and the reason why the employee is concerned about the situation. An employee who does not feel able to put their concerns in writing can telephone or meet the appropriate line manager. The action taken by the Trust will depend on the nature of the concern. The matters raised may for example:

- be investigated internally
- be referred to the police
- require an external investigation

Some concerns may be resolved by agreed action with no need for investigations.

Within two weeks of a concern being raised the Trust will write to the employee who raised the issue:

- acknowledging that the concern has been raised
- indicating how it proposes to deal with the matter and provide a final response, the employee being given the opportunity to respond if not happy with the resolution
- giving an estimate of how long any further investigation will take, and if no further investigation is needed stating the reasons

Where we need to explore the allegations further, we will arrange an investigatory meeting with the employee who raised the issue. In such circumstances, the employee may be accompanied by a colleague who is not involved in the area of work to which the concern relates or by a trade union or professional association representative, although this is not a statutory right.

The employee will be informed of the outcome of any resultant investigation in writing, subject to the constraints of confidentiality and the law.

Where an employee is the subject of a whistleblowing allegation, the matter will be investigated and addressed under the Trust's Disciplinary Policy.

The Trustee designated with responsibility for whistleblowing matters is Mr P Pickthall and he may be contacted via the Company Secretary, Christine Taylor, ctaylor@esf-mail.org.uk.