



KALEIDOSCOPE
Multi Academy Trust

Whistleblowing Policy

February 2018 (Review February 2019)

1. Preamble

The Second Report of the Committee on Standards in Public Life: Local Public Spending Bodies published by The Nolan Committee used the term “whistleblowing” to mean the confidential raising of problems or concerns within an organisation by a member of staff. This refers to matters of impropriety e.g. a breach of law, school procedures or ethics. Whistleblowing does not relate to the raising of a grievance within the School or Trust, these matters should be dealt with through the staff grievance procedures.

2. Introduction

The trustees, governors and staff of the Kaleidoscope Multi Academy Trust seek to run all aspects of trusts activities, with full regard for high standards of conduct and integrity. If members, trustees, governors, staff, parents, or members of the community at large become aware of activities which give cause for concern, the Trust has a whistleblowing policy; these act as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion, under the Trust’s disciplinary procedure.

Kaleidoscope is committed to tackling malpractice and treats these issues seriously. We recognise that some concerns may be extremely sensitive and has therefore developed a system which allows for the confidential raising of concerns within the Trust environment but also has recourse to an external party outside the management structure of the Trust.

3. When might the whistleblowing policy apply?

Individuals are encouraged to come forward in good faith with genuine concerns knowing they will be taken seriously. A whistleblower should ask a few questions before taking action:

- Is it, or do you believe it to be, illegal?
- Is it, or do you believe it to be, against codes of practice issued by the Trust, the North Somerset Local Authority (NSLA), the Department of Education or a professional body?
- Does it contradict what the employee has been taught, or should have been taught?
- Is it about an individual’s behaviour or is it about general working practices?
- Has the whistleblower witnessed the incident?

If any individual raises malicious unfounded concerns or attempts to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

All allegations should be capable of being dealt with through the disciplinary procedure and will be considered appropriately.

Where the alleged activity or behaviour cannot be dealt with under the scope of other procedures then consideration should be given to using this whistleblowing policy e.g.

- any criminal activity
- dangerous practices
- abuse of position
- sexual or physical abuse of pupils or others
- other unethical conduct.

Anonymous allegations will only be considered if the issues raised are:

- Very serious
- The credibility of the allegation is considered to be high
- The likelihood of confirming the allegation is high.

4. Procedure

4.1.1 Kaleidoscope encourages the whistleblower to raise the matter internally in the first instance with their line manager or the Headteacher.

4.1.2 If the concern relates to the Headteacher the matter should be raised with the CEO.

4.1.3 If the concern relates to the CEO of Kaleidoscope the matter should be raised with the chair of the Board of Trustees.

Alternatively, the whistleblower may request a private and confidential meeting with the designated person recorded in section 4.1.1 to 4.1.3 above. The whistleblower may be accompanied by a representative of their choice if they so wish (e.g. Union representative or friend)

All matters will be treated in strict confidence and anonymity will be respected wherever possible. Written, dated and signed supporting evidence and statement should always be taken to any meetings if possible.

4.2 Alternatively if the whistleblower considers the matter too serious or sensitive to raise within the internal environment of the Trust, the matter should be directed in the first instance to the Designated officer of Allegations, on 01275 888808, although the North Somerset Local Authority will need to involve the appropriate Governor/Trustee

All matters will be referred to the North Somerset Local Authority (NSLA) who will have its own procedure for dealing with such matters and will ensure every effort to respect the confidentiality of the whistleblower. The NSLA will ensure relevant officers of the legal team are informed as appropriate and should advise the Board of Trustees of appropriate steps to take.

5. How will the matter be progressed?

5.1 The Individual(s) in receipt of the information or allegation (the investigating officer(s)) will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can or should be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of staff, the legal or personnel advisors, the police or the Department for Education.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the Chair of the Board of Trustees or nominee, will consider how best to report the findings and what corrective action needs to be considered. This may include some form of disciplinary action and /or third party referral such as the police.

Depending on the nature of the concerns or allegation and whether or not the investigating officer considers there to be a case to answer, the disciplinary procedure may be applied. In such cases any disciplinary action will be considered by the Board of Trustees Panel and if appropriate the Board of Trustees Appeals Panel. Where a case is proven on the balance of probability the matter will be reported to the full board of Trustees, the NSLA and where appropriate the Department of Education.

5.2 If the whistleblower is dissatisfied with the conduct of the investigation or resolution of the matter or has genuine concerns that the matter has not been handled appropriately, the concerns may be raised with chair of the Board of Trustees, for impropriety, the individual Schools Designated Safeguarding Lead. If that fails to resolve the matter, the employee should seek the assistance of “Public concern at Work” on 0207 404 6609. For any concerns taken outside of the Trust this policy will not apply and any employee raising issue on a wider basis, e.g. with the press, without following the procedure in this policy may be liable to disciplinary action.

6. Respecting confidentiality

Wherever possible the Kaleidoscope Multi-Academy Trust seeks to respect the confidentiality and anonymity of the whistleblower and will as far as possible protect him/her from reprisals. Kaleidoscope will not tolerate any attempt to harass or victimise the whistleblower, or attempts to prevent concerns being raised, and will consider any necessary disciplinary or corrective action appropriate to the circumstances.

7. Conclusion

Existing good practice within the Kaleidoscope Multi-Academy Trust in terms of its systems of safeguarding procedures and the external regulatory environment in which the Trust operates, ensure that cases of suspected impropriety rarely occur. The whistleblowing policy is provided as reference document to establish a framework within which issues can be raised confidentiality internally and if necessary outside the management structure of Trust. This document is a public commitment that concerns are taken seriously and will be actioned. Any actions arising from allegations/investigations must be in accord with the Trust’s disciplinary procedure, which should cover all of the potential areas of concern.