Diocese of Norwich Education and Academies Trust

Speak Up Policy

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Our Christian Ethos and Values

All policies within the Diocese of Norwich Education and Academies Trust (hereafter referred to as "the Trust"), whether relating to an individual academy or the whole Trust, will be written and implemented in line with our Christian ethos and values.

We have high ambition for all, and we truly value the wider educational experience.

We walk and talk our Christian values. We put people at the centre of the organisation and want to see them flourish and grow. Our schools are inclusive, welcoming those of all faiths and none.

Overall accountabilities and roles

The Trust has overall accountability for all its academies and staff. Through a Scheme of Delegation it sets out the responsibilities of the Trust, its Executive Officers, the Local Governance Committee and the Principal / Headteacher. The Principal / Headteacher of each academy is responsible for the implementation of all policies of the Trust.

All employees of the Trust are subject to the Trust's policies.

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1. Purpose.

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected.
- Let all staff in the Trust know how to raise concerns about potential wrongdoing in or by the Trust.
- Set clear procedures for how the Trust will respond to such concerns.
- Let all staff know there is protection available to them if they raise a concern.
- Assure staff that they will not be victimised for raising a concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue).

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the Trust in any capacity, including self-employed consultants or contractors who provide services on a personal basis and agency workers.

The principles of this policy also apply to Trustees, Governors and other volunteers.

2. Legislation.

This Speak Up Policy fulfils the requirement to have clear whistleblowing procedures in place as set out in the Academy Trust Handbook.

This policy has been written in line with the above document, as well as government guidance on whistle-blowing. We also take into account the Public Interest Disclosure Act 1998.

This policy complies with our funding agreement and articles of association.

3. Definition of Speaking Up.

Speaking up covers concerns made that report wrongdoing that is "in the public interest". Examples of speaking up include (but are not limited to):

- Criminal offences, such as fraud or corruption.
- Pupils' or staff health and safety being put in danger.
- Failure to comply with a legal obligation or statutory requirement.
- Breaches of financial management procedures.
- Attempts to cover up the above, or any other wrongdoing in the public interest.
- Damage to the environment.

Someone who speaks up (a whistleblower) is a person who raises a genuine concern relating to the above.

Not all concerns about the Trust, or individual schools in the Trust, count as speaking up. For example, personal staff grievances such as bullying or harassment or raising a safeguarding concern do not usually count as speaking up. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

When staff have a concern, they should consider whether it would be better to follow our staff grievance procedures.

Protect (formerly Public Concern at Work) has:

- Further guidance on the difference between a speak up (whistleblowing) concern and a grievance, which staff may find useful if unsure.
- A free and confidential advice line.

4. Procedure for staff to raise a speak up concern

4.1 When to speak up.

Staff should consider the examples in section 3 when deciding whether to speak up. Consider whether the incident(s) was illegal, breached statutory or Trust procedures, put people in danger or was an attempt to cover any such activity up.

4.2 Who to report to.

All Trust staff should report their concern to the Head of Governance on governance@donesc.org. If the concern is about the Head of Governance, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Speaking Up Trustee – Beverly Tilman (DNEAT) on info@dneat.org

4.3 How to raise the concern.

Concerns should be raised in writing wherever possible. They should include names of those suspected of committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

5. Trust procedure for responding to a whistle-blowing concern

5.1 Investigating the concern.

When a concern is received by either the Head of Governance or the speaking up Trustee – referred to from here as the 'recipient' – they will:

- Meet with the person raising the concern within a reasonable time period. The person raising the concern may be joined by a trade union or professional association representative.
- Get as much detail as possible about the concern at this meeting and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure.
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy).
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
    - The recipient should then arrange a further investigation into the matter, involving the CEO, Headteacher, or other members of the Trust team, as appropriate. In some cases, they may need to bring in an external, independent body to investigate. In others, they may need to report the matter to the police.
    - The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps.
- Keep a record of the process from start to finish.

5.2 Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified, and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the CEO, Trustees and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

While we cannot always guarantee the outcome sought, we will deal with concerns fairly and in an appropriate way.

6. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.

If, however, an allegation is shown to be deliberately invented or malicious, the Trust will consider whether any disciplinary action is appropriate against the person making the allegation.

7. Escalating concerns beyond the Trust

The Trust encourages staff to raise their concerns internally, in line with section 4 of this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included here.

The Protect advice line, linked to in section 3 of this policy, can also help staff when deciding whether to raise the concern to an external party.

8. Monitoring and review

This policy will be reviewed annually, or sooner depending on regulatory change.

These procedures have been agreed by the board of Trustees, who will approve them whenever reviewed.

9. Links with other policies

This policy links with our policies on:

- Complaints Procedure
- Staff Grievance Policy
- Safeguarding Policy
- Staff Disciplinary Procedures