

Whistleblowing Policy

| | |
|-------------------------------|------------------------------------|
| Policy title | Whistleblowing Policy |
| Effective from date | September 2021 |
| Applicable to | Trainees and members of the public |
| Owner | Executive Director |
| Approving Committee(s) | Strategic and Finance Board |
| Date of approval | June 2021 |
| Review date | Annually |

Introduction

1. BECTT Teacher Training (BECTTTT) is committed to the highest standards of openness, probity and accountability. It seeks to conduct its affairs in a responsible manner taking into account the requirements of the funding bodies and the standards in public life set out in the reports of the Nolan Committee.
2. Normally any concern by trainees would normally be raised through the Complaints policy. However, it is recognised that because of the seriousness and sensitivity of some issues, together with the knowledge of who the trainee thinks may be involved in wrongdoing, this may be difficult or even impossible.
3. The Public Interest Disclosure Act gives legal protection to employees (salaried trainees) against being dismissed or penalised by their employers as a result of publicly disclosing certain serious concerns provided that they are disclosed under procedures identified in the Act. It is a fundamental term of every contract of employment that an employee will faithfully serve his or her employer and not disclose confidential information about the employer's affairs. However, where an individual discovers information which they believe shows malpractice/wrongdoing within the organisation, then there should be identified procedures to enable the individual to disclose the information without fear of reprisal, and it may be necessary for the disclosures to be made independently of line management
4. This Policy sets out arrangements for individuals to raise serious concerns about malpractice or serious wrongdoing in ways which will protect them from reprisal. This Policy is intended to meet the requirements of the Act but it goes further in two aspects:
 - Firstly, it extends the list of concerns where a protected disclosure may be made beyond those identified in the Act.
 - Secondly, it extends protection for disclosure beyond employees to trainees and to other members of the BECTT community.
5. It should be emphasised that this Policy is intended to assist individuals who believe they have discovered malpractice or serious wrongdoing, provided that they make the disclosure in accordance with the Policy. It is not designed to question financial or business decisions taken by BECTT, nor may it be used to reconsider any matters which have already been addressed under harassment, complaint or disciplinary procedures. Individuals who make disclosures outside the arrangements set out here will not be protected under this Policy and may not be protected under the Act.

Scope of Policy

6. This Policy is designed to enable fee-paying and salaried trainees or other members of the BECTT community, including contractors, to raise at a higher level concerns or disclose information about matters the individual believes shows malpractice.
7. A number of policies and procedures are already in place including grievance, discipline, complaints and guidelines for dealing with harassment. This Policy is intended to cover concerns which are in the public interest and may (at least initially) be investigated separately but might then lead to the using of such procedures. These might include:

- financial malpractice or impropriety or fraud;
- failure to comply with a legal obligation;
- dangers to health and safety of the environment;
- criminal activity
- miscarriage of justice;
- academic malpractice;
- improper conduct or unethical behaviour;
- attempts to conceal any of the above.

This is not intended to be a comprehensive list and any matters raised under this Policy will be considered seriously.

Safeguards and Protection

8. This Policy is designed to offer protection to those fee-paying and salaried trainees or other members of BECTT who disclose such concerns, provided the disclosure is made:
 - i. in accordance with the procedures laid down;
 - ii. in good faith, and
 - iii. in the reasonable belief of the individual making the disclosure that it tends to show malpractice.

Confidentiality

9. All such disclosures, whether from internal or external sources, will be treated in a confidential and sensitive manner. The identity of the individual making the allegation may be kept confidential so long as it does not hinder or frustrate any investigation. However, the investigation process may reveal the course of the information and the individual making the disclosure may need to provide a statement as part of the evidence required.

Anonymous Allegations

10. This Policy encourages individuals to put their name to any disclosures they make. Concerns express anonymously are much less powerful, but they will be considered at the discretion of the person to whom the disclosure has been made.

In exercising this discretion, the factors to be taken into account will include:

- the seriousness of the issues raised;
- the credibility of the concern, and
- the likelihood of confirming the allegation from alternative credible sources.

Untrue Allegations

11. If an individual makes an allegation in good faith, which is not confirmed by subsequent investigation, no action will be taken against that individual. If, however, the investigation raises concerns that an individual has made a malicious or vexatious allegation, and particularly if he or she persists with making them, disciplinary action may be taken against the individual concerned.

Inappropriate Use of the Whistleblowing Procedure

12. There may be occasions when a fee-paying or salaried trainee or other member of BECTT may, in good faith, raise a matter through this procedure that would be more appropriately addressed by another means (for example, the trainee complaints/academic appeals procedures). Where this is the case, the discloser will be referred to the appropriate channel through which their complaint or concern may be addressed.

Procedures for Making a Disclosure

Initial Step

13. The individual should make the disclosure in writing to the Executive Director (kay@billericayscitt.com) (the designated person). If, however, the disclosure is about the Executive Director or a member of BECTT Strategic and Finance Board, then the disclosure may be made to the CEO of the Compass Education Trust. If the disclosure is about the CEO of the Trust, then the disclosure should be made to the Chair of Compass Education Trust. If any individual other than those listed above should receive a disclosure, it should be referred to the Executive Director.
14. The names and contact details of the members of BECTT are available from the SCITT office.
15. Disclosures will be acknowledged in writing within 5 working days of receipt.

Process

16. . The person to whom the disclosure is made shall consider the information made available to him/her and decide on the form of investigation to be undertaken. This may be:
 - To investigate the matter internally
 - To refer the matter to the Police or other statutory agency
 - To convene an independent inquiry
17. Where the matter is to be the subject of an internal investigation, the person to whom the disclosure is made shall decide who should undertake the investigation, the procedure to be followed and the scope of the concluding report. Where it is appropriate to do so, the investigator may be assisted by another officer or an independent person, particularly where specialist expertise or knowledge is required. Any review undertaken will be carried out as soon as practicable. The principles of natural justice shall prevail throughout this process.
18. The subject of the disclosure shall be informed of the disclosure and will be invited to comment before the investigation is concluded.
19. As a result of the investigation, other internal procedures may be invoked, such as disciplinary or grievance procedures. In some instances, it may be appropriate to refer the matter to an external authority for further investigation.

Feedback

20. The person to whom the disclosure was made shall inform the discloser what action, if any, is to be taken and, where it is appropriate to do so, give a rationale for the outcome.

A discloser who has reason to believe his/her complaint has not been dealt with effectively (or who feels the response is improper) may refer the complaint to the CEO of Compass Education Trust. If the original complaint was about the CEO, the discloser should refer it to the Chair of the Trust Board. This further recipient of the disclosure shall consider all the information presented, the procedures followed and the outcome. This review may result in no further action, or a further investigation. The outcome and appropriate rationale shall be provided to the discloser.

In the event that the concerns relate to fundraising malpractice and, for whatever reason, BECTT is unable to consider these concerns through this internal procedure, the discloser will be advised to raise their concerns with the Fundraising Regulator and provided with the appropriate contact details to do so.

Reporting of Outcomes

21. All disclosures shall be reported to the Strategic and Finance Board and records shall be retained by the SCITT office for three years.