

Whistleblowing Policy

Contents

1. Aims	1
2. Legislation	1
3. Definition of whistleblowing	2
4. Procedure to raise a whistleblowing concern	2
5. Charity procedure for responding to a whistleblowing concern.....	3
6. Malicious or vexatious allegations.....	4
7. Escalating concerns beyond the charity	4
8. Links with other policies	4

1. Aims

For us to be the best charity we can be and change as many young lives as possible, we need to make sure we all act ethically and legally.

Every organisation is at risk of people acting unethically or illegally. We want to make sure that every staff member or volunteer feels able to report any concerns about this happening so that we can stop this action as soon as possible.

- We want everyone at Speech and Language UK to: Report suspected wrongdoing as soon as possible
- Know that their concerns will be taken seriously and investigated
- Feel confident that their confidentiality will be respected.
- Know how to raise concerns about potential wrongdoing in or by the charity.
- Know what protection is available to them if they raise a whistleblowing concern.
- Know that they will be protected when they raise a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken
- Know that we will deal appropriately with vexatious or malicious concerns.

This policy does not form part of any employee's contract of employment and may be amended at any time.

This policy applies to all employees of Speech and Language UK and Speech and Language UK Services Ltd, volunteers and other workers who provide services to the charity and its trading subsidiary in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

2. Legislation

This policy has been written in line with [government guidance on whistleblowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

3. Definition of whistleblowing

Whistleblowing means raising concerns about wrongdoing that are “in the public interest”. Examples of whistleblowing include (but are not limited to) reporting:

- 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

A whistle-blower is a person who raises a genuine concern relating to the above.

Not all concerns about the charity count as whistleblowing. For example, personal grievances such as bullying or harassment do not usually count as whistleblowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely to be a grievance.

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

Protect (formerly Public Concern at Work) has:

- [Further guidance](#) on the difference between a whistleblowing concern and a grievance that staff may find useful if unsure
- A free and confidential [advice line](#)

4. Procedure to raise a whistleblowing concern

4.1 When to raise a concern

Employees, workers and volunteers should consider the examples in section 3 when deciding whether their concern is of a whistleblowing nature. Staff should consider whether the incident(s) was illegal, breached statutory or charity procedures, put people in danger or was an attempt to cover any such activity up.

4.2 Who to report to

Concerns should be reported according to the table below. Reports should always be made to someone in a more senior position than the person suspected of alleged malpractice.

Concern about	Report to
Non-school staff	Line manager / relevant director
School staff (including managers)	Principal
Management (non-schools)	Deputy CEO
School principals	Director of Education
Directors	Chief Executive
Chief Executive	Chair of Trustees
Chair of Trustees	Vice Chair of Trustees

If a staff member other than the identified reporting contacts above receives a report of concerns, they should pass it immediately to the relevant individual.

The individual the report is made to will henceforth be known as 'the recipient'.

4.3 How to raise the concern

Employees, workers and volunteers should put concerns in writing wherever possible. They should include names of those 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. Charity procedure for responding to a whistleblowing concern

5.1 Investigating the concern

When the recipient receives a concern, they must:

- Meet with the person raising the concern within a reasonable time. This should usually be within 10 working days or as soon as reasonably practicable. They must tell the person raising the concern that they can choose to invite a colleague or trade union representative to this meeting. The People team can provide a template letter for this invitation.
- Get as much detail as possible about the concern at this meeting and record the information in writing. They should then send this to the People team who will store this appropriately. If it becomes apparent that the concern is not of a whistleblowing nature, the recipient should handle the concern in line with the appropriate policy/procedure.
- Make every effort to protect the identity of the person raising the concern. They must discuss with the person who raised the concern if they need more information to fully investigate the issues raised.
- 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:
 - o The recipient should then arrange a further investigation into the matter. In some cases, they may need to bring in an external, independent body to investigate. The People team can advise on what action is appropriate. In other cases, they may need to report the matter to the police. See **Managing Allegations Policy**.
 - o They should inform the person who raised the concern about how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps.
- While we cannot always guarantee the outcome that the person raising the concern was seeking, staff must deal with concerns fairly and in an appropriate way.

5.2 Outcome of the investigation

Once the investigation 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 we will rectify the matter, and whether or not we need to make a referral to an external organisation, such as a local authority or police.

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

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

5.3 Reporting to the Charity Commission

A relevant SMT member must liaise with Trustees to determine whether to report the incident to the Charity Commission based on the results of the investigation, in accordance with the guidance provided. That SMT member is then responsible for reporting to the Commission and updating the report as the situation develops.

6. Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there is potentially 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 line director, in discussion with the Head of People, will consider whether any disciplinary action is appropriate against the person making the allegation.

7. Escalating concerns beyond the charity

Wherever possible, we encourage employee, workers and volunteers to raise their concerns internally, in line with section 4 of this policy, but we recognise that individuals may feel the need to report concerns to an external body. A list of prescribed bodies with whom staff can raise concerns 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. Links with other policies

This policy links with our policies on:

- Grievance policy
- Complaints policy and procedure
- Child protection and safeguarding policy
- Disciplinary policy
- Managing allegations policy