



WHISTLEBLOWING POLICY

1. Aims

- 1.1 The Fair Funding Regulations require, from April 2002 to a procedure to be followed by all persons working in an educational setting, including teachers, tutors, support workers or governors who wish to complain about financial management or financial probity at PLS, and how such complaints should be dealt with.
- 1.2 PLS is committed to the highest possible standards of openness, probity and accountability and aims to comply with the requirements of the Public Interest Disclosure Act, 1998.
- 1.3 This Whistleblowing Policy is intended to encourage and enable those covered by the policy to raise serious concerns at an early stage, in the right way and to do so without fear of recrimination, victimisation, discrimination or disadvantage.

2. Scope

- 2.1 The Act provides protection for workers who disclose information which might otherwise be regarded as confidential, if the disclosure falls into one of the categories outlined below:
 - a) A criminal offence has been, is being or is about to be committed.
 - b) The employer has failed, is failing, or is about to fail to comply with his legal obligations.
 - c) A miscarriage of justice has happened, is happening, or is likely to happen.
 - d) An individual's health and safety has been, is likely to be, or is being jeopardised.
 - e) The environment is, has been, or is likely to be, damaged
 - f) Information falling into any of the above categories has been, is being or is likely to be deliberately concealed.
- 2.2 By adopting this policy PLS is reassuring stakeholders that they can safely raise concerns about malpractice internally. This will enable PLS to investigate

and deal with such concerns raised and continue to foster a responsible and accountable culture in the organisation.

- 2.3 Staff and governors are expected to notify the accounting officer of any reasonable and genuine concerns they have about an abuse of PLS's stated standards, malpractice, theft, fraud, financial abuse, criminal offences, breach of legal obligations, dereliction of PLS's health and safety responsibilities, damage to the environment, other unethical conduct or the cover up of any of these.
- 2.4 It is recognised that some cases raised under the Whistleblowing Policy will proceed on a confidential basis. Every effort will be made not to reveal the identity of the individual who raises a concern without their prior consent.
- 2.5 The policy is not designed to replace the PLS complaints or assessment appeals procedure. Any issues raised under those procedures will continue to be dealt with as shown in those policies.
- 2.6 The Whistleblowing Policy is primarily to protect the interests of others or those of PLS.
- 2.7 It is accepted that there may be occasions when a concern turns out to be unfounded but was raised in good faith. PLS will not take action against the individual in these circumstances. If, an allegation was unfounded and it was clear that it had been raised frivolously, maliciously or for personal gain, then that individual may face a Cause for Concern or the disciplinary process of the employing school in the case of School direct salaried trainees.
- 2.8 PLS and its governors are committed to treating claims of impropriety seriously irrespective of who the alleged perpetrators are. In all cases PLS will seek the most appropriate sanction against individuals that it considers guilty of malpractice. This includes dismissing any stakeholders wholly employed by PLS, terminating the training of any trainee, ending taking civil legal action and, in conjunction with the law enforcement agencies, instituting criminal proceedings.
- 2.9 The aim of the Whistleblowing Policy is to enable stakeholders to raise their concerns in-house and to be assured that action will be taken quickly and effectively. It should not be necessary, in most cases, to take concerns outside PLS and especially to the media. Staff and trainees have a duty of confidentiality towards PLS. It is a serious matter to disclose confidential information.

3. **How PLS will handle concerns raised**

Step One – how to raise a concern

- 3.1 There are a number of agreed contacts for stakeholders to raise concerns with under the Whistleblowing Policy. This enables the employee to choose the person to whom they wish to make the disclosure.
- 3.2 Stakeholders who have a concern about any wrongdoing should normally raise their concerns with their mentor. If however you feel unable to raise the matter with your mentor, for good reason, you may raise the concern with your PCM or another senior member of school staff. If you feel unable to raise your concern with any member of the partner school management you may raise it with a PLS director.
- 3.3 Concerns may be raised orally or in writing. Make it clear if you want to raise the matter in confidence. The person with whom you raised the concern may have a preliminary meeting with you to discuss the most appropriate route. You may bring a friend/professional representative to any meeting that is arranged in connection with the concern you have raised as long as the friend/professional representative is not involved in the matter and that the friend agrees to maintain confidentiality.
- 3.4 If you are raising concerns as a PLS governor you should speak to the chair of governors. If you feel unable to raise the matter with them for good reason, you should contact the Accounting Officer. Should that be deemed inappropriate you should contact a representative from NCTL.
- 3.5 You are not expected to prove beyond doubt the truth of an allegation. However, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.
- 3.6 PLS hopes that this policy gives you the reassurance you would need to raise concerns internally. However, it recognises that there may be circumstances where progressing through the internal route has failed and you can only properly report your concern to external bodies who have responsibilities to monitor PLS's compliance to its own standards and legal obligations. In most cases the most appropriate body would be the NCTL.

Step Two – What happens once a concern has been raised?

- 3.7 This appointed person, while maintaining the confidentiality of the complainant, will ensure that any individual who is the subject of the allegation is given details of the allegations in order to respond.
- 3.8 Once you have raised your concern, the person receiving the whistleblowing allegation will be responsible for ensuring that it is investigated properly. The nature of the investigation will depend upon the concern raised.
- 3.9 The person receiving your whistleblowing concern is responsible for ensuring you receive feedback on progress, subject to any issues of confidentiality that may

be necessary to guarantee a successful conclusion. It may not be possible to inform you of the precise action undertaken where this would infringe a duty of confidence owed by PLS to another party.

4. **Safeguards**

- 4.1 PLS recognises that the decision to report a concern can be a difficult one to make. PLS will take appropriate action to safeguard you from recrimination or victimisation as a result of raising a genuine concern.
- 4.2 All concerns will be treated in confidence and every effort will be made not to reveal your identity if you so wish. However in some circumstances you may be needed to come forward as witness.
- 4.3 You are encouraged to put your name to your concern wherever possible. Concerns expressed where the complainant wishes to remain anonymous are much less powerful but PLS will consider anonymous concerns on a case by case basis. However this relates to financial whistleblowing only. The PLS complaints procedure makes it clear that general anonymous complaints relating to PLS will not be followed up.

5. **Independent Advice and Helpline**

- 5.1 If you are unsure whether to use PLS's Whistleblowing Policy, or you want independent advice at any stage, you may contact the independent charity called Public Concern at Work. This organisation seeks to ensure that concerns about serious malpractice are properly raised and addressed in the workplace. The staff will give you free expert and confidential advice about how to raise a concern about serious malpractice at work using a Whistleblowing Policy. The contact number is:

Public Concern at Work on 0207 404 6609

6. **Responsible Bodies and Monitoring Arrangements**

- 6.1 The Governing Body has overall responsibility for the policy.
- 6.2 The Accounting Officer is responsible for the operation of the policy within PLS and the overall maintenance of a record of concerns raised in accordance with this policy and the outcomes.
- 6.3 The NCTL is responsible for the operation of the policy and records outside PLS.
- 6.4 All staff and trainees will be advised of this policy and where to access it