



Whistle Blowing Policy

Reviewed	Date of Next Review	Responsibility
September 2023	September 2025	Head of HR

Our Mission:

'To enable young people to live and work without barriers'

Our Values:

- **Teamwork** – we hold ourselves and each other to account and are better when we work together
- **Compassion** – we act with trust, honesty and kindness in everything we do
- **Inclusion** – we treat each other fairly and with respect
- **Innovation** – we encourage thoughtful, creative and aspirational ideas
- **Pride** – we encourage each other to be proud of who we are and what we do

Statement: Staff should note that this policy will apply where a disclosure is made in good faith and where they reasonably believe that the information given, and any allegation contained in it are substantially true. However, if a disclosure is made without foundation and which contains information that staff do not substantially believe to be true, or if the disclosure is made for personal gain, then such a disclosure will constitute a disciplinary offence and will be addressed in accordance with the guidance shown the Employee Handbook. This may result in gross misconduct for which summary dismissal is sanctioned.

1. Introduction.

1.1. This policy should be read in conjunction with the following Fairfield Trust (FT) policies:

- Equality & Diversity, Accessibility & Single Equality Scheme
- Safeguarding & Child Protection Policy
- Anti-Bullying Policy
- E Safety & On-line Protection Policy
- Complaints Policy

2. Definition

2.1. Whistleblowing is passing on information by a person (the whistle blower) to a person in authority or someone who has responsibility for the management or regulation of the organisation and/or the welfare of the students and/or staff within the organisation. The information should be directly related to the business of the organisation, its staff (including volunteers) or students.

2.2. Fairfield Trust is committed to being open, honest, and accountable. It promotes high standards and wants people to feel able to raise any serious concerns.

2.3. Members of staff may be the first to spot anything that is seriously wrong within Fairfield Trust. However, they might not speak up because they feel this would be disloyal or they may be worried that their suspicions are not justified. They may also be worried that they, or someone else, may be victimised.

2.4. Members of the public, students, parents/carers associated professionals may also have concerns. This policy is designed to support staff (including volunteers) and others so that they feel able to report their concerns.

2.5. This policy aims to make sure that if someone raises a concern, they can do so with confidence and without feeling concerned about being victimised, discriminated against, or disadvantaged as a result.

3. Action covered by the Policy

3.1. This policy is intended to deal with serious or sensitive concerns such as the following:

- fraud or corruption
- students or residents in the Trust's care being unfairly treated
- unauthorised use of Charity money
- an unlawful act
- any danger to health and safety
- the environment being damaged

- a person abusing their position for any unauthorised use or for personal gain
- a person deliberately not keeping a college policy, an official code of practice or any law or regulation
- a person failing to meet appropriate professional standards
- a person being discriminated against because of their Protected Characteristics (for definition see Equality and Diversity, Accessibility & Single Equality Scheme Policy) as defined in the Equality Act 2010

3.2. Concerns may be about a member of staff, a student and/or their family, suppliers, or people who provide services for the Trust.

3.3. Feedback will usually be given on the progress and outcome of any investigation.

4. Who to Approach with Concerns

4.1. Concerns should be raised in writing to the Head of HR, who will inform the Principal. Concerns should include as much detail as possible - including any relevant names, dates, places etc. The earlier a concern is raised, the easier it will be to take effective action.

4.2. Although the allegation does not need to be proven beyond a shadow of a doubt, the Whistle-blower will have to demonstrate to the Senior Leadership Team (SLT) that there are good reasons for raising a concern.

4.3. Students should speak to their Key Worker or Tutor, or another member of staff. Any member of staff who has a concern reported to them by a student must inform the Head of HR, preferably in writing with as much detail as possible.

4.4. If staff concerns involve or relate to the Head of HR, staff should inform the Principal directly, in writing.

4.5. Parents/carers or associated professionals should contact a member of college staff who should then inform a member of the SLT, preferably in writing.

4.6. If the concern relates to the CEO, Principal or a Trustee, the Chair of the Board of Trustees should be informed. Should the concern relate to the Chair of the Board of Trustees the matter should be referred to another member of the Board.

4.7. The CEO, Principal and SLT can be contacted directly in any of the following ways: by writing to the CEO, Principal, Head of HR, or Registered Manager at:

Fairfield Trust
 43 High Street,
 Dilton Marsh
 Westbury
 BA13 4DL
 (mark the envelope "Private and Confidential")

or by telephone:

CEO or Principal	01373 823028 x 234
Head of HR	01373 823028 x 236
Registered Manager	07799 907983

5. How to take the matter further

- 5.1. The Trust hopes that anyone who raises a concern will be satisfied with any action taken. If not, the matter may need to be taken further by contacting any of the following:
- Charity's external auditor
 - Charity Commission
 - Local Citizen's Advice Bureau
 - Education and Skills Funding Agency
 - Local Authority
 - Ofsted
 - Care Quality Commission (CQC)
 - Police
- 5.2. Independent advice or support can be obtained from an organisation called 'Public Concern at Work', <http://pcaw.co.uk/> or by speaking to the NSPCC Whistleblowing Advice Line 0800 028 0285 www.nspcc.org.uk/whistleblowing
- 5.3. If the matter is taken externally of the organisation, care should be taken that confidential information is not revealed to unauthorised personnel.

6. What is not covered

- 6.1. This policy cannot be used to deal with serious or sensitive matters that are covered by other college policies:
- Allegations/disclosures of abuse should be addressed through the FT Safeguarding & Child Protection Policy
 - Staff complaints about their employment should be addressed through the FT Complaints Policy
 - Complaints about service provided by the Trust should be addressed through the Complaints Policy
- 6.2. This policy cannot be used to raise issues that have already been settled through other procedures.

7. Protecting the Whistle-blower

- 7.1. If the allegation is true, there is nothing to fear. The Trust understands how difficult it is to decide to blow the whistle and we are committed to supporting anyone who is concerned about the welfare of students and staff and the integrity and reputation of the Trust.
- 7.2. If a concern is raised which is believed to be true, appropriate action under the Public Interest Disclosure Act 1998 will be taken to protect the Whistle-blower from any harassment, victimisation or bullying.
- 7.3. Concerns will be kept confidential if requested and the identity of the Whistle-blower will not be revealed without permission or unless the Trust must do so by law. This will be explained when a concern is raised, so the whistle blower can decide whether to proceed.

7.4. If the Whistle-blower is an employee of the Trust, any allegation made will not influence, or be influenced by, any unrelated disciplinary action or any redundancy procedures that are current.

8. Anonymous Allegations

8.1. Because protection is offered as explained above, the Trust encourages Whistle-blowers to give their name when an allegation is made. Concerns raised anonymously tend to be far less effective and if, for example, there is not enough information, the Trust may not be able to investigate the matter at all.

8.2. If the Whistle-blower feels that they cannot give their name, the SLT will decide whether to consider the matter. This will depend on:

- the seriousness of the matter
- the evidence available
- whether an investigation can be carried out based on the information provided

9. Untrue Allegations

9.1. If an allegation is made which is believed to be true, but it is subsequently not confirmed by the Trust's investigation, no action will be taken against the Whistle-blower.

9.2. However, if an allegation is made which the Whistle-blower knows to be untrue, appropriate disciplinary or legal action will be taken.

10. Responses to the Concern

10.1. The way the Trust deals with the concern and the support provided to the Whistle-blower will depend on the circumstances.

10.2. Enquiries will be made to decide whether an investigation should be carried out, and if so, how to proceed. Throughout all enquiries and any investigation, the priority will be the best interests of the students.

10.3. The concern may be investigated by the CEO, Principal and/or the Trustees or it may be referred to:

- the police
- other agencies
- the Charity's external auditor
- an independent investigator
- Kingfisher Professional Services Ltd

10.4. If the concern or allegation relates to another procedure or policy, it will refer to the relevant person and the Whistle-blower will be informed.

10.5. After discussion with the Whistle-blower the Trust may be able to settle some concerns without carrying out an investigation.

10.6. If urgent action is needed, this will be done before carrying out any investigation.

- 10.7. Within 10 working days of a concern being raised, the SLT will:
- acknowledge to the Whistle-blower that a concern has been received
 - explain how the matter will be handled
 - tell the Whistle-blower what support is available.
- 10.8. Further timescales cannot be set as they are dependent on the nature of the allegation and the type of investigation needed.
- 10.9. The amount of contact the Whistle-blower has with the SLT will depend on the nature of the concern, the potential difficulties involved, and the clarity of the information given.
- 10.10. The Whistle-blower can be accompanied by a friend or a colleague to any meetings that are necessary. Meetings with the SLT will normally take place on college premises but can be arranged elsewhere. Meetings are not arranged in the Whistle-blower's own home unless there are exceptional circumstances.
- 10.11. Steps will be taken to reduce any difficulties experienced by the Whistle-blower because of raising a concern. For instance, if evidence is needed in criminal or disciplinary proceedings, arrangements will be made for the Whistle-blower to be given advice on the procedure.

BY ORDER OF THE BOARD

Tamasin Jones
Head of HR

September 2023