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# Whistleblowing Policy

Working for Barnet Education Arts Trust (BEAT)

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**ARTS COUNCIL  
ENGLAND**

BARNET EDUCATION ARTS TRUST  
BARNET MUSIC HUB

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## 1. Introduction

BEAT seeks to run all aspects of Trust business and activity with full regard for high standards of conduct and integrity. In the event that members of staff, or trustees become aware of activities which give cause for concern, the following whistleblowing policy, or code of practice, acts as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

Throughout this policy, the term “whistleblower” denotes the person raising the concern or making the complaint. The Trust is committed to tackling fraud and other forms of malpractice and treats these issues seriously. It recognises that some concerns may be extremely sensitive and has therefore developed a system, which allows for the confidential raising of concerns within the Trust environment but also has recourse to an external party outside the management structure of the Trust.

The Trust is committed to creating a climate of trust and openness so that a person who has a genuine concern or suspicion can raise the matter with full confidence that the matter will be appropriately considered and resolved.

The provisions of this policy apply to matters of financial mismanagement and impropriety and not matters of more general grievance, which would be dealt with under Trust grievance procedures.

## 2. The Scope of the Policy

This policy is applicable to the Board of Trustees and all workers of BEAT.

The type of activity or behaviour, which is dealt with under this policy includes:

- manipulation of accounting records and finances
- inappropriate use of Trust assets or funds
- decision-making for personal gain
- that a criminal offence has been committed, is being committed or is likely to be committed
- that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject
- that a miscarriage of justice has occurred, is occurring or is likely to occur
- that the health or safety of any individual has been, is being or is likely to be endangered,
- that the environment has been, is being or is likely to be damaged
- abuse of position
- fraud and deceit
- serious breaches of trust procedures which may advantage a particular party (for example tampering with tender documentation, failure to register a personal interest)
- that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed

### **3. What action should the Whistleblower take?**

The whistleblower is encouraged to raise the matter internally in the first instance to allow those staff, workers and trustees in positions of responsibility and authority the opportunity to right the wrong and give an explanation for the behaviour or activity.

### **4. CEO and Chair of Trustees**

The whistleblower may prefer to raise the matter in person, by telephone or in written form marked private and confidential and addressed to one of the above named individuals. All matters should be treated in strict confidence and anonymity respected wherever possible.

### **5. Respecting Confidentiality**

Individuals reporting wrong- doing should note –

Everything possible will be done to respect your confidentiality if this is what you want. Sometimes, though, it is necessary to take a statement as part of the investigation and enforcement process. In that case the issues will be discussed with you beforehand.

Completely anonymous reports carry much less weight. They will only be acted upon at the discretion of the Trust, having regard to the seriousness of the issues, the credibility of the report and the likelihood of obtaining confirmation elsewhere.

The earlier you express concern the easier it is to take action.

You will not be required to prove your allegation, but you will be asked to give as much detail as possible. It is much better to do this in writing but as an alternative you can speak to someone at a meeting. Trustees will arrange for this process to be handled by someone outside the Senior Management Team. You can bring a trade union representative or a friend to a meeting if you wish.

### **6. How will the matter be progressed?**

The individual(s) in receipt of the information or allegation (the investigating officer(s)) will carry out a preliminary investigation. This will seek to establish the facts of the matter and assess whether the concern has foundation and can be resolved internally. The initial assessment may identify the need to involve third parties to provide further information, advice or assistance, for example involvement of other members of staff, LA legal, personnel or finance officers, the police.

Records will be kept of work undertaken and actions taken throughout the investigation. The investigating officer(s), possibly in conjunction with the Board of Trustees, will consider how best to report the findings and what corrective action needs to be taken. This may include some form of disciplinary action or third-party referral such as the police.

The whistleblower will be informed of the outcome of the investigation when the matter is completed unless this is not possible for legal reasons. Sometimes this can take a long time, especially if there is a long investigation or court proceedings are involved. Depending on the nature of the allegation and whether or not it has been substantiated, the matter will be reported to the Board of Trustees.

### **7. Protection from reprisal**

Anyone who makes a report in good faith will be protected from victimisation or reprisal. The Public Interest Disclosure Act 1998 gives statutory protection for workers who report in good faith on matters referred to clause 2 of this policy. The protection covers reports to the employer or a regulating authority. The Act protects the worker from being subjected to discipline or dismissal or any other detriment from making the report.

If you are already the subject of disciplinary, capability or redundancy procedure they will not necessarily be halted as a result of your whistleblowing.

## **8. Raising unfounded malicious concerns**

Individuals are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If individuals raise malicious unfounded concerns or attempt to make mischief, this will also be taken seriously and may constitute a disciplinary offence or require some other form of penalty appropriate to the circumstances.

## **9. If you are not satisfied**

BEAT hopes that you will be satisfied with the whistleblowing routes offered by this policy. But if you are not and you want to take the matter up outside the Trust, you can contact the Charity Commission, or the police, or take legal advice. If you do this, make sure that you do not put yourself at legal risk by disclosing confidential information in circumstances where that is not allowed. Ask the person you contact about this. If you need advice about blowing the whistle on a charity call Protect's free and confidential advice line: Telephone: 0800 055 7214

## **10. Conclusion**

Existing good practice within the Trust in terms of systems of internal control both financial and non-financial ensure that cases of suspected fraud or impropriety rarely occur.

This whistleblowing policy is provided as a reference document to establish a framework within which issues can be raised confidentially internally and, if necessary, outside the management structure of the Trust. This document is a public commitment that concerns are taken seriously and action will be taken.

**Document History**

Date	Reason for Change	Change Controller
June 2020	New Document	SB
November 2022	Updated/modified following legal advice, Reformatted.	SB + PSW

Signed  Chair of Trustees

Name Martin Baker

Date 05/12/22.....

Signed  Chief Executive

Name Sharon Broughall

Date 05/12/22.....