Whistle-blowing Policy
This is a Trust policy applicable to all schools in the MAT

Introduction

This policy applies to all employees/workers of the trust. Individuals performing functions in relation to the Trust, such as agency workers and contractors, are encouraged to use it.

It is important to the trust that any fraud, misconduct or wrongdoing by employees/workers is reported and properly dealt with. The trust therefore encourages all individuals to raise any concerns that they may have about the conduct of others in the trust or the way in which the Trust is run. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

Aims

This policy aims to:

- Encourage a culture where all individuals feel able to raise concerns about alleged wrongdoing and report them at the earliest opportunity. In the knowledge that concerns will be taken seriously and acted upon and that confidentiality will be respected wherever possible; however, anonymity shall not be an automatic right.
- Let all staff in the trust know how to raise concerns about potential wrongdoing in or by the trust.
- Set clear procedures for how the trust will respond to such concerns ensuring that staff know that concerns raised by whistle-blowers will be responded to properly and fairly.
- Let all staff know the protection available to them if they raise a whistle-blowing concern.
- Assure staff that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue).
- Ensure staff know that they are protected by law and that a non-disclosure agreement, confidentiality clause or 'gagging clause' in a settlement agreement or employment contract cannot stop them from making a protected disclosure in the public interest.
- Ensure all staff understand their duty to raise concerns about safeguarding practices within the Trust and its schools, including concerns about the behaviour of adults working with children, in line with statutory safeguarding guidance.

This policy does not form part of any employee's contract of employment and may be amended at any time. The policy applies to all employees or other workers who provide services to the trust in any capacity, including self-employed consultants or contractors who provide services on a personal basis and agency workers.

Legislation

The requirement to have clear whistle-blowing procedures in place is set out in the Academy Trust Handbook. Keeping Children Safe in Education (KCSIE) also sets out expectations for schools to have appropriate whistle-blowing procedures.
This policy has been written in line with the above document, as well as government guidance on whistle-blowing. We also take into account the Public Interest Disclosure Act 1998.

Link to other school/MAT policies, documents and required practice

Disciplinary Policy
Data Protection Policy
Grievance Policy
Complaints Policy
Child Protection and Safeguarding Policy
Allegations against staff (including low level concerns)

Data Protection

When an individual makes a disclosure, the Trust will process any personal data collected in accordance with its Data Protection Policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.

Definition of Whistle-blowing

Whistle-blowing covers concerns made that report wrongdoing or dangers at work that are "in the public interest". Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption.
- Pupils' or staff health and safety being put in danger.
- Poor or unsafe safeguarding practice in the trust or its schools, including potential failures in provision as well as the failure to act on concerns about a child or the behaviour of an adult.
- Sexual harassment.
- Failure to comply with a legal obligation or statutory requirement.
- Breaches of financial management procedures (such as failure to follow internal rules or policies) including improper use of public funds.
- Attempts to cover up the above, or any other wrongdoing in the public interest.
- Risk or damage to the environment.

A whistleblower is a person who raises a genuine concern relating to the above. These genuine concerns relating to suspected wrongdoing or danger affecting any of the trust activities should be reported under this policy.

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

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

Safeguarding concerns or allegations about the behaviour of staff that do not meet the harm threshold (low level concerns) should be reported in line with the trust's policy. Where concerns indicate a pattern of behaviour or a culture of unsafe practice, they may be addressed under this whistle-blowing policy.

Protect, an independent whistle-blowing charity, has further guidance and a free and confidential advice line on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure.

https://protect-advice.org.uk/what-is-whistle-blowing

- A free and confidential advice line can be found at https://protect-advice.org.uk/contact-protect-advice-line

Procedure for staff to raise a whistle-blowing concern

When to raise a concern:

Staff should consider when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or trust procedures, put people in danger or was an attempt to cover any such activity up.

How to raise the concern:

Concerns should be made 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.

Who to report to:

School-based staff should report their concern in the first instance to their line manager unless the employee reasonably believes that their line manager is involved in the wrongdoing in which case this should be reported to the Headteacher directly. If the concern is about the Headteacher, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Senior Executive Lead. If the concern is about the Senior Executive Lead, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Chair of The Trust Board.

Central team staff should report their concern to the Senior Executive Lead. If the concern is about the Senior Executive Lead or it is believed they may be involved in the wrongdoing in some way, the central team staff should report the concern to the Chair of The Trust Board.

If the concern is about a member(s) of the Trust Board, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Chair of The Trust Board and if the concern relates to the Chair of The Trust Board, then the concern should be raised with the Senior Executive Lead.

Trust procedure for responding to a whistle-blowing concern

Investigating the concern:

When a concern is received by the line manager/Headteacher/Senior Executive Lead or Chair of The Trust Board referred to from here as the 'recipient' – they will:

- Meet with the person raising the concern within a reasonable time. The person raising the concern may be joined by a trade union or professional association representative. The companion must respect the confidentiality of the disclosure and any subsequent investigation.
- Get as much detail as possible about the concern at this meeting and record the information. The staff member will be provided with a copy of the written summary of the concern after the meeting.
- If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure.
- Reiterate, at this meeting, that they are protected by law 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. The Headteacher/Senior Executive Lead or Chair of The Trust Board as appropriate will be kept informed of the meeting and subsequent discussion.
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
    - The recipient should alert the Headteacher/Senior Executive Lead or Chair of The Trust Board as appropriate so that a further investigation can be made. In some cases, the Headteacher, Senior Executive Lead or Chair to the Trust Board may need to bring in an external, independent body to investigate whom have relevant experience of investigations or specialist knowledge of the subject matter. The investigator (or investigators) may make recommendations for change to enable the trust to minimise the risk of future wrongdoing. In others, they may need to report the matter to the police.
    - The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps. The person who raised the concern may also be required to attend additional meetings in order to provide further information.
- Within seven working days – excluding periods of trust/school closure of a concern being referred the Senior Executive Lead/Headteacher/Chair of the Trust Board will write to the complainant to:
    - Acknowledge that the concern has been received.
    - Indicate how the matter is to be dealt with.

- Give an estimate of how long it will take to provide a final response, informing the complainant as to whether any initial enquires have been made.
- Tell the staff member whether further investigations will take place and if not, why not where able. Sometimes, there may be a need for confidentiality that may prevent the trust giving the staff member specific details of the investigation, an outcome or any disciplinary action taken as a result. In any event, any information about the investigation must be treated as confidentiality.

Throughout any investigation, the trust will provide wellbeing check-ins for both the complainant and the subjects of a concern. Where appropriate, support and signposting to manage expectations, protect emotional wellbeing and maintain professional confidence will be offered.

Where a concern relates to safeguarding, the relevant DSL will be informed and involved in decision-making where suitable and appropriate referrals to external agencies (such as children's social services or the police) will be considered.

Outcome of the investigation:

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified and whether a referral is required to an external organisation, such as the local authority or police.

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

Beyond the immediate actions, the HR Director, Headteacher or Senior Executive Lead, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

Whilst we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

Malicious or vexatious allegations

Staff are encouraged to raise concerns when they believe there to potentially be 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 trust will consider whether any disciplinary action is appropriate against the person making the allegation.

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Escalating concerns beyond the trust

The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases the staff member should not find it necessary to alert anyone externally. As such the trust encourages staff to raise their concerns internally, in line with this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns can be found at

https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistle-blowing-list-of-prescribed-people-and-bodies#education

It will very rarely, if ever be appropriate to alert the media. It is strongly advised that staff seek advice before reporting a concern to an external body. The Protect advice line highlighted in the 'Definition of Whistle-blowing' section of this policy, can also help staff when deciding whether to raise the concern to an external party. They operate a confidential helpline and they also have a list of prescribed regulators for reporting certain types of concern.

Whistle-blowing concerns usually relate to the conduct of trust staff but they may sometimes relate to the action of a third party. In some circumstances the law will protect the staff member raising the concern if they raise the matter with the third party directly. However, the Trust encourages staff members to report such concerns internally first, in line with policy.

Protection and support for whistle-blowers

It is understandable that whistle-blowers are sometimes worried about possible repercussions. The trust aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.

Whistle-blowers must not suffer any detrimental treatment as a result of raising a concern. Detrimental treatment including dismissal disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a staff member believes that they have suffered any such treatment, they should inform the Senior Executive Lead/Headteacher immediately. If the matter is not remedied, they should raise it formally using the trust grievance policy and procedure.

Approval

This policy will be reviewed annually.

Reviewed by: HR Director, September 2026
Date ratified:
Review date: September 2027
Person responsible: HR Director