

Whistleblowing Policy

Responsible sub-committee:	Finance & Resources
Linked Policies	Trust Grievance Policy Trust Complaints Policy Trust Equality Statement and Objectives Trust Code of Conduct Trust Disciplinary Policy Trust Management of Allegations of Abuse Against Staff Policy Keeping Children Safe in Education
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Target audience:	All applicable internal and external stakeholders
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Updates and Amendments

Version	Section	Amendments	Date	Author
1.0		Updated for Academies Financial Handbook, best practice & Gov.uk guidance - includes changes to a Trust policy and reference to a Trustee responsible. September 2019	2019	

1.1		CFO - update for KCSIE 2021 and Academy trust Handbook 2021. Updating section 6.7 advice line contacts	2021	
1.2	1	Updated Introduction	November 2024	Trust HR Manager
	2	Updated clarification of the roles and purpose of a whistleblower		
	4	Updated guidance on when use of the Whistleblowing policy is applicable		
	7	Clarification on the rights of whistleblowers not to suffer detriment		
	12	Updated guidance on independent advice		
		Updated guidance on how to raise a concern		
	13	Updated guidance on next steps if the worker is not satisfied with how the concern was dealt with		
	17	Updated guidance on options if the worker is not satisfied with the outcome		
	18	Updated guidance on persons and organisations with whom concerns can be raised		
	19	Updated guidance on next steps if the worker is treated unfairly		
	Appendix 1	Updated List of Contacts		

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1. Introduction

- 1.1 The Trust is committed to the highest possible standards of openness, probity, and accountability. In line with this commitment, we encourage applicable persons with concerns about any serious wrongdoing to come forward and voice those concerns without fear of reprisals.
- 1.2 This policy is in line with the Public Interest Disclosure Act 1998 (which you can consult at <http://www.opsi.gov.uk/acts/acts1998>) to enable workers to raise issues of concern in an appropriate manner.
- 1.3 The Whistleblowing Policy must always be applied fairly and in accordance with employment law and the Trust's Equality and Diversity Statement.
- 1.4 Where a concern is raised and investigated under the Whistleblowing Policy, there may be a need for further investigation or action. This may take place within the framework of a different policy. Where this is the case, you will be notified that the investigation under the Whistleblowing Policy has ended.

2. What is a whistleblower

- 2.1 The Whistleblowing policy applies to "workers" such as employees, casual staff, trainees and/or agency staff. For the purpose of this policy and in line with the government guidance on Whistleblowing ([See Link](#)) we will refer to all such persons as "workers".
- 2.2 You are a whistle-blower if you meet the criteria of a "worker" referred to under paragraph 2.1 and you report certain types of wrongdoing. This will usually be something you have seen at work - though not always.
- 2.3 The wrongdoing you disclose must be in the public interest. This means it must affect others, for example the public.
- 2.4 As a whistleblower you are protected by law - you should not be treated unfairly or lose your job because you 'blow the whistle.'
- 2.5 You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen soon.

3. Aim

- 3.1 This policy aims to:

- Encourage workers to feel confident in raising concerns
- Provide avenues to raise genuine concerns and receive feedback on any action taken
- Establish a fair and impartial investigative procedure

- Ensure workers receive a response to concerns and are aware of how to pursue them if they are not satisfied
- Reassure workers that steps will be taken to protect them from reprisals or victimisation for whistleblowing in good faith.

3.2 The policy addresses situations where the interests or wellbeing of others or the Trust are at risk. It is intended for public concerns rather than issues related to personal interests.

4. Scope:

4.1 If you are an employee and the matter is a grievance about your employment, then please refer to the Trust's Grievance Policy. ([See Link](#))

4.2 If the matter is a concern or a complaint and you are a parent or carer of a child at one of our schools or you are a member of the public please refer to the Trust's Complaints Policy. ([See Link](#))

4.3 If you are concerned that a young person is at risk of harm, the guidance in the DfE's "Keeping Children Safe in Education" ([Click Here](#)) obliges you to report any concerns.

4.4 If you have a concern about a worker of the Trust's suitability to work with children, you should report this using the Trust's Management of Allegations of Abuse Against Staff Policy. ([Click Here](#))

4.5 If, however, you are concerned that:

- a worker's professional practice, or
- the leadership or management of the Trust, or
- Trust policies, procedures and/or ways of working

may be undermining the safety and wellbeing of workers, or leaving them vulnerable to risk, or you are worried about the way in which safeguarding allegations have been managed, you should express these concerns through the Whistleblowing Policy.

5. Responsibilities

5.1 The Trust is responsible for maintaining fair, consistent, and objective procedures for matters relating to whistleblowing.

5.2 The Chair of the Trust's Risk and Governance subcommittee is the Responsible person for the Trust.

5.3 The CEO has overall responsibility for the internal organisation, control, and management of the Trust. This may be delegated to the relevant Headteacher for the school involved.

6. What concerns may be raised

6.1 The concern may be about something that:

- Is unlawful or is likely to be unlawful
- Is against the Trust's policies and code of conduct; including;
Concerns about financial malpractice/Causing a danger to workers or the environment
- Falls below established standards of practice; or
- Amounts to improper conduct; or
- Deliberate concealment of any of the above

6.2 You are protected by law if you report any of the following:

- A criminal offence, for example fraud
- Someone's health and safety is in danger
- Risk or actual damage to the environment
- An injustice
- The company is breaking the law, for example it does not have the right insurance
- You believe someone is covering up wrongdoing

7. Harassment or Victimisation

7.1 The Trust recognise that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal. The Trust will not tolerate harassment or victimisation and will take applicable actions to protect you when you raise a concern in good faith.

7.2 All staff must be aware that victimising/retaliating against whistleblowers is a serious disciplinary offence, and staff can be personally liable for subjecting whistle-blowers to such behaviour.

8. Confidentiality

8.1 The Trust will do its best to protect your identity when you raise a concern. However, it must be appreciated that, in the interests of natural justice, any investigation process is likely to reveal the source of the information and a statement by you is likely to be required as part of the evidence.

9. Support

9.1 In any meetings that have a connection to your whistleblowing concern, you have the right to be accompanied by your trade union representative, professional body representative or a work colleague (providing they are not involved in the issue and would not be called as a witness).

9.2 These meetings might include:

- A meeting to raise your concern.
- A meeting with an investigation officer in connection with the concern.
- Taking part as a witness in any action taken because of raising the concern.

10. Anonymous Allegations

10.1 If a worker requests that their identity is protected, the Trust will not disclose it unless required to do so by law. If the situation arises where the Trust is unable to resolve the concern without revealing the worker's identity (for instance because the worker's evidence is needed in court), we will discuss with the worker how the matter should proceed.

10.2 However, if a worker chooses not to disclose their identity it will be much more difficult for the Trust to investigate the matter or to protect your position or to give you feedback. Accordingly, while we will consider anonymous reports, it will not be possible to apply all aspects of this policy for concerns raised anonymously.

10.3 Anonymous allegations must be taken seriously, but information about a child or vulnerable adult being at risk must be passed to Social Care to be investigated and anonymity may be lost.

10.4 If you report your concern to the media, you will likely lose your whistleblowing law rights.

11. Malicious or Vexatious Allegations

11.1 If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you.

11.2 If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you in accordance with the Trust's Disciplinary Policy ([Click Here](#)) and/or The Trust's Code of Conduct ([Click Here](#)).

12. Independent Advice

12.1 If you are unsure whether to use this policy, or if you want independent advice at any stage, you should contact:

- Your trade union
- The independent charity Protect are available give you free confidential advice at any point in the process. Their website is <https://protect-advice.org.uk/>.
- Get independent advice if you are not sure you are legally protected, for example from Citizens' Advice on this website <https://www.citizensadvice.org.uk/>
- the NSPCC's what you can do to report abuse dedicated helpline is available as an alternative route for staff who do not feel able to raise concerns regarding child protection failures internally or have concerns about the way a concern is being managed by their school or college. Staff can call 0800 800 5000 or email: help@nspcc.org.uk.
<https://www.nspcc.org.uk/keeping-children-safe/reporting-abuse/dedicatedhelplines/whistleblowing-advice-line/>

13. Stage 1 - How to Raise a Concern

13.1 It is expected that in most instances any concerns are reported to the Headteacher. If the Headteacher believes it may be appropriate to use the Whistleblowing procedure, the Headteacher should contact a member of C-Suite and/or the Trust HR Lead.

13.2 Typically, a member of Trust staff or School Senior Leadership Team (SLT) will be Investigating Officer or another Investigating Officer may be appointed who is not implicated. The individual conducting the investigation must be at a more senior level than the worker being investigated.

13.3 Where you believe there is a conflict of interest in reporting a concern to the Headteacher, then see below for alternative contacts, based on the worker's position. The guiding rule is that you should address your complaint to a level of management who you believe is not involved.

Headteacher

If the concerns/allegations are about the Headteacher they should be reported to the Chair of Governors and/or to a member of C-Suite.

A School Governor

If the concerns/allegations are about a school governor, they should be reported to C-Suite.

A Trust Member of Staff

If the concerns/allegations are about a Trust member of staff, then they should be reported to C-Suite.

C-Suite

If the concerns/allegations are about C-Suite, then they should be reported to the Trust CEO or if concern is about the CEO to the Chair of Trustees.

A Trustee

If the concerns/allegations are about a Trustee, then they should be reported to C-Suite.

The Chair of Trustees

If the concerns/allegations are about the Chair of Trustees, then they should be reported to the Trust CEO.

13.4 Contact details for these persons can be found in Appendix 1 ([Click Here](#))

13.5 There are other options if you do not want to report your concern to your employer which can be found in Section 12 Independent Advice or [Click Here](#)

13.6 Advice and guidance on how matters of concern may be pursued can be obtained from:

- Your line manager
- Headteacher
- Chair of Risk and Governance Committee of the Trustee Board or Trust HR Lead
- Deputy CEO

13.7 Concerns are better raised in writing. You are invited to set out the background and history of your concern, giving names, dates, and places, where possible, and the reason you are particularly concerned about the situation. If you are not able to put your concern in writing, you can telephone or arrange to meet the appropriate person.

13.8 You may ask your trade union representative to raise the matter on your behalf or to provide advice about putting the concern in writing.

13.9 Whilst you are not expected to prove the truth of an allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for initial enquiries to be made.

14. Stage 2 - How the Trust will respond

14.1 Within ten working days of a concern being received, the Trust will write to you acknowledging that the concern has been received and arrange to meet with you.

14.2 The Investigating Officer will meet with you within ten working days, in confidence, or earlier if there is an immediate danger and will

- Obtain as much information as possible from you about the concern
- Consult with you about further steps which could be taken
- Indicate how they propose to deal with the matter
- Give an estimate of how long it will take to deal with the matter
- Telling you whether any initial enquiries have been made; and
- Telling you whether further investigations will take place, and if not, why not
- Inform you of appropriate policies if the matter does not fall within the Whistleblowing Policy

14.3 The Investigating Officer will report all matters raised under this procedure to the Trust CEO and Chair of the Trust's Risk and Governance Committee.

14.4 When any meeting is arranged to discuss your concerns, you have the right, if you so wish, to be accompanied by a trade union representative or a friend who is not involved in work to which the concern relates and who also could not be called as witness.

14.5 The Trust will take steps to minimise any difficulties, which you may experience because of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings ([Click Here](#)), the Trust will advise you about the procedure.

14.6 The amount of contact between the Trust and you will depend on the nature of the matters raised, any potential difficulties involved, and the clarity of the information provided. If necessary, further information will be sought from you.

14.7 The Trust accepts you need assurance that the matter has been properly addressed. Thus, subject to legal constraints, you will receive information about the investigation's outcome.

14.8 Any person who is the subject of an allegation should, at the appropriate times be given details of the allegation to respond. They will have the right to trade union representation.

15. Stage 3 - The outcome

15.1 Within ten working days of the meeting, the Investigating Officer will recommend to the Headteacher or the person's line manager, one or more of the following:

- The matter be investigated internally by the Trust
- The matter be investigated by an external person appointed by the Trust
- The matter be reported to the Department for Education
- The matter be reported to the Police
- The matter to be reported to LADO
- No further action be taken.

15.2 The grounds on which no further action is taken may include:

- The Investigating Officer is satisfied that, on the balance of probabilities, there is no evidence of malpractice or that malpractice is likely to occur
- The matter is (or has been) the subject of proceedings under the applicable Trust policy
- The matter is already subject to legal proceedings, or has already been referred to the police, an external investigator, the Department for Education, or another public authority.

15.3 Should it be alleged that the Headteacher or Line Manager participates in the alleged malpractice, the Investigating Officer's recommendation will be made to the Trust's CEO.

15.4 The recipient of the recommendation (Headteacher or CEO) will ensure that it is implemented unless there is good reason for not doing so in whole or in part. Such a reason will be reported to the next meeting of the Trust Risk and Governance Committee and to the Investigating Officer.

16. Conclusion of Investigation

16.1 Within 28 days the conclusion of any agreed investigation will be reported by the Investigating Officer to the Worker in writing. A copy will be passed to the Trust HR Lead if they are not acting as Investigating Officer.

16.2 If the worker has not had a response within the above time limits, they may appeal to the Trust's CEO but will inform the Investigating Officer before doing so.

16.3 The worker may at any time disclose the matter on a confidential basis to a solicitor or trade union representative for the purpose of taking legal advice.

17. If you are not satisfied with how the Trust dealt with your concern

- 17.1 Contact the Chair of Trustees if you believe your concern was not taken seriously or the wrongdoing is still going on. Please see Appendix 1 ([Click Here](#)) for contact information.
- 17.2 If you are not satisfied with the response from the Chair of Trustees you can get further information from ACAS ([Click Here](#)) or the independent charity Protect are available give you free confidential advice at any point in the process. Their website is <https://protect-advice.org.uk/>

18. How the Matter can be Taken Further

18.1 This policy is intended to provide you with an avenue to raise concerns with the Trust. The Trust hopes you will be satisfied. If you are not and you feel it is right to take the matter outside the Trust, the following are contact points:

- The Department for Education
- Your local Council member or MP
- Relevant professional bodies or regulatory organisations
- Your solicitor
- The Police
- Other bodies prescribed under the Public Interest Disclosure Act, e.g.:
 - The Audit Commission for England and Wales
 - Data Protection Registrar
 - Serious Fraud Office
 - Environment Agency
 - Health and Safety Executive
 - Public Concern at Work
 - The Ofsted Whistle-blower Hotline.

Please see Appendix 1 ([Click Here](#)) for contact information.

18.2 If you do take the matter outside your employer, you need to ensure that you do not disclose confidential information, or that disclosure would be privileged.

19. If you are treated unfairly after whistleblowing

19.1 You can get further information from ACAS ([Click Here](#)), Gov.Uk ([Click Here](#)) or your trade union.

20. Data Retention

20.1 All applicable documents will be retained in accordance with the Trust's GDPR Policies (See Link).

Appendix 1: List of Persons and Organisations with Whom Concerns Can Be Raised

Role / Organisation	Further Information
Chair of Risk & Governance Chair of Trustees	Governance INOVA Multi-Academy Trust
HR & Compliance Manager	Meet The Team INOVA Multi-Academy Trust
Ofsted Whistleblowing	<p>Call: 0300 123 3155</p> <p>Email: whistleblowing@ofsted.gov.uk.</p> <p>Write to: WBHL Ofsted Piccadilly Gate Store Street Manchester M1 2WD</p>
Protect	<p>020 3117 2520</p> <p>https://protect-advice.org.uk/</p>
Information Commissioner's Office	Information Commissioner's Office (ICO)
Serious Fraud Office	Home - Serious Fraud Office (sfo.gov.uk)
Environment Agency	Environment Agency - GOV.UK (www.gov.uk)
Health & Safety Executive	Contact the Health and Safety Executive (hse.gov.uk)
NPSCC - Whistleblowing Advice Line	<p>Call: 0800 028 0285</p> <p>Email: help@nspcc.org.uk</p>