Whistleblowing Policy

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Review Cycle:		Annually	
Statutory Policy:		Yes	
Date	**Version**	**Reason for change**	**Source**
01.07.25	V5	Changes to Policy Drafting Scheduled Revision	PHRP Ltd, Central HR

1. Introduction

1.1. The purpose of this policy is to set out the parameters within which workers can raise any concerns they may have about the conduct of others or the way in which the Trust is run. It is important to the Trust that any fraud, misconduct or wrongdoing by employees or contractors/workers of the Trust is reported and properly dealt with. Workers are encouraged to raise their concerns.

1.2. The Trust is committed to achieving this through:

- Setting high standards of expectation consistent with the school community expectations of our Trust and relevant professional standards;
- The application of consistent and fair procedures in accordance with good practice and equal opportunities;
- Adhering to the employment legislation and guidance in relation to time off.

1.3. This policy sets out how a worker can make a disclosure under the Public Interest Disclosure Act 1998.

1.4. This policy does not form part of the contract of employment and may be varied from time to time.

2. Scope

2.1. This policy applies to all employees including, temporary, fixed term, apprentices and casual workers and volunteers regardless of length of service, and contractors.

2.2. The law provides protection for workers who raise legitimate concerns about specified matters. These are called "qualifying disclosures". A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed.

2.3. The Trust takes its responsibility of care for its pupils seriously and will investigate thoroughly, any possibility that a worker may have harmed a pupil, but in a way that does not prejudice either the pupil or the worker.

2.4. Qualifying disclosures related to safeguarding and low-level concerns will be investigated in accordance with Keeping Children Safe in Education, the Disciplinary Policy and the stages as outlined below.

2.5. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. The worker has no responsibility for investigating the matter – it is the Trust's responsibility to ensure that an investigation takes place.

2.6. A worker who makes such a protected disclosure has the right not to be dismissed, subjected to any other detriment, or victimised, because they made a disclosure.

2.7. If a worker is concerned that their own contract of employment has been, or is likely to be breached, the worker should use the Trust's Grievance Policy to raise a complaint.

3. Legal Protection

3.1. Exceptionally, the Act offers protection in respect of disclosures made to people or bodies but only when, all things considered, it is reasonable to do this, and the disclosure is not made for personal gain. In addition, one of the following must apply:

- The matter must have been raised already with the employer and/or relevant regulatory body; or
- The worker must reasonably believe that they would be victimised if they raised the matter internally; or
- There is no relevant regulatory body, and the worker reasonably believes that evidence was likely to be concealed or destroyed.
- The concern is of an "exceptionally serious" nature, which is for the worker to determine.

4. Procedure – Stage 1

4.1. In the first instance, and unless the worker reasonably believes their Headteacher to be involved in the wrongdoing, or if for any other reason the worker does not wish to approach their Headteacher, any concerns should be raised with the worker's Headteacher. If they believe that the Headteacher is involved, or for any reason does not wish to approach them, then the worker should proceed straight to stage 3. Any approach will be treated with the strictest confidence and the worker's identity will not be disclosed without their prior consent.

5. Procedure – Stage 2

5.1. The Headteacher will arrange an investigation into the matter either by investigating the matter themselves or immediately passing the issue to a suitable senior manager from within the Trust. The investigation may involve the worker and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set in this policy. The worker's statement will be taken into account, and they will be asked to comment on any additional evidence obtained.

5.2. The Headteacher (or the person who carried out the investigation) will then report to the Trust Board, which will take any necessary action, including reporting the matter to any appropriate government department or regulatory agency.

5.3. If disciplinary action is required, the Headteacher (or the person who carried out the investigation) will instigate the disciplinary procedure. On conclusion of any investigation, the worker will be told the outcome of the investigation and what the

Trust has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

6. Procedure – Stage 3

6.1. If the worker is concerned that their Headteacher is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the Board, they should inform either the Chief Executive Officer, Lynsey Draycott or Chair of Trustees, Sir Mark Aspinall via:
Post: Matrix Academy Trust, International House, 20 Hatherton Street, Walsall, WS4 2LA
Phone: 01922 211 264

They will either investigate the matter themselves or arrange for another suitable senior manager to review the investigation carried out, make any necessary enquiries and make their own report to the Board as in stage 2 above. Where appropriate, an external independent investigator may be appointed to conduct the investigation.

7. Procedure – Stage 4

7.1. If on conclusion of stages 1, 2 and 3 the worker reasonably believes that the appropriate action has not been taken, the worker should report the matter to the proper authority. The legislation sets out a number of bodies to which qualifying disclosures may be made. These include:

- HM Revenue & Customs
- the Financial Conduct Authority (formerly the Financial Services Authority);
- the Competition and Markets Authority;
- the Health and Safety Executive;
- the Environment Agency;
- the Independent Police Complaints Commission; and
- the Serious Fraud Office.

As with internal disclosure, before referring to one of these bodies you should consider whether you honestly and reasonably believe that your concerns are well founded and that any allegations you are about to make are substantially true.

5. Malicious concerns

5.1 Workers are encouraged to come forward in good faith with genuine concerns with the knowledge they will be taken seriously. If workers 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.

8. Data Protection

8.1. The Trust will comply with the provisions of UK data protection law. Employee data will be processed in accordance with the principles of that legislation, as necessary for the performance of the contract of employment and as set out in the Trust's privacy notice. Personal information about workers and employees, including information in personnel files, will be held securely and privately in accordance with the Trust's Data Protection Policies and Procedures.

8.2. Minutes of formal meetings will be given to the worker for information and copies of notes, letters and other relevant documentation should be retained on file.