



The
MAST
 Academy Trust

Policy	Whistleblowing policy	
Owner	Melanie Humphreys – The Mast Executive Administrator	
Date approved	9 th December 2020	
Approver	Martyn Jones	

Current version	V3.0
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Next review due	Autumn Term 2021
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Objective of Policy	
<p>To provide guidance on the policy and process on reporting concerns and how you are protected.</p>	

Version Control	
Version Number	Summary of amends from previous version
2.0	Annual review, update to front cover
3.0	Annual review; adjustments to working to be inclusive of all (section 1, 2,6,8); addition of section 9

Sign off requirements	
Approvers	Position
Chair of trustees ratification	Martyn Jones
Reviewers	Position
Jason Field	CFO The MAST
Philip Oldfield	Trustee

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1.0 Introduction

This policy relates to all those who may wish to report concerns including (but not limited to) employees, volunteers and members of the community.

Our employees in The Mast Academy Trust schools will often be the first to notice if there is something seriously wrong within their workplace. Sometimes it may seem difficult to speak up because of feelings of disloyalty, or because of a fear of harassment or victimisation.

We expect the highest standards of behaviour and all employees have a responsibility to voice any concerns they have, normally with their Headteacher or Chair of Governors.

This Whistleblowing procedure is independent and confidential. It can be anonymous if you wish. The Mast Academy Trust will make sure that you will not be victimised or suffer disadvantage if you report your genuine concerns.

It allows anyone to bring to the attention of those who can make a difference any practice which they believe or suspect:

- is unlawful
- is a serious breach of the Trust's policies, procedures and rules (for example, Safeguarding responsibilities)
- falls substantially below established standards of practice
- amounts to improper conduct

It is difficult to come up with a complete list of issues which might cause concern, but you should report known or strongly suspected fraud, corruption, bribery, theft or financial irregularities; the physical, mental or sexual abuse of clients; unfair discrimination; abuse of power; dangerous practices; criminal conduct; serious damage to the environment; negligence; unprofessional behaviour and evasion of statutory responsibilities.

The malpractice might be carried out by school employees, council employees, contractors, consultants, or by members of the Trust governing bodies.

This procedure is not to be used by employees if they are generally dissatisfied at work or as a replacement to existing employment rights with the school and as a Mast Academy Trust. If employees make any allegations maliciously or for personal gain, you may be disciplined.

2.0 What is a whistleblower?

A whistleblower is a person, usually an employee, who exposes information or activity within a private, public, or government organisation that is deemed illegal, illicit, unsafe, or a waste, fraud, or abuse of taxpayer funds.

The wrongdoing you disclose must be in the public interest. This means it must affect others, e.g. the general public.

As a whistleblower you're protected by law - you shouldn't be treated unfairly or lose your job because you 'blow the whistle'.

You can raise your concern at any time about an incident that happened in the past, is happening now or you believe will happen in the near future.

3.0 Who is protected by law

You are protected if [you are a worker](#), e.g. you are:

- an employee, such as a teacher, support staff , caterer or cleaner
- a trainee, such as a student teacher
- an agency worker
- a member of a [Limited Liability Partnership](#) (LLP)

Get independent advice if you are not sure you are protected, e.g. from [Citizens' Advice](#).

A confidentiality clause or 'gagging clause' in a settlement agreement is not valid if you are a whistleblower.

4.0 Complaints that count as whistleblowing

You're protected by law if you report any of the following:

- a criminal offence, e.g. fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, e.g. does not have the right insurance
- you believe someone is covering up wrongdoing
- A child or children are at risk of harm

5.0 Complaints that do not count as whistleblowing

Personal grievances (e.g. bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest.

Employees should report such grievances by following the grievance policy which can be found on the [Trust website](#).

6.0 How to raise a concern

a) Through the Headteacher

Normally you should first speak to the Headteacher.

b) Through the CEO

If you feel that you cannot discuss with the headteacher – for example if you believe that they are involved – then you should speak to the CEO of the Mast Academy Trust on 01484 865444, email: ngreenough@themast.co.uk

b) Through your trade union or a councillor (Employees)

You may find it helpful at this stage to contact your trade union representative, or you might prefer to contact a councillor, or someone who you trust to advocate on your behalf.

c) Through the Whistleblowing route

If you do not feel able to contact any of these people you should contact the Chair of the Trust Board, on mjones@themast.co.uk.

You should give as much information as you can, including names, dates, places, history and why you are concerned. You are encouraged, but not required, to leave your name and contact details – it is much easier to investigate a concern if we can speak to you directly and confidentially.

All messages on the telephone and email will be heard and seen only by a representative of the Mast Academy Trust who will then review all messages confidentially and contact the Trust Board Audit Committee if necessary.

7.0 How your concerns will be dealt with

All allegations will be investigated: how and by whom depends on how serious they are and who they involve. The investigation may be handled internally, or referred to an external agency such as the police or an independent investigator appointed by the Academy Trust.

If you raise your concerns under this policy then we will write to you within 10 working days saying:

- what we intend to do
- how long we think this will take
- whether any more information is required from you

We will let you know the outcome of the investigation, so that you can see that the matter has been properly addressed.

The Mast Academy Trust Audit Committee will receive regular reports summarising all concerns raised under this policy.

8.0 Raising your concerns elsewhere

You may consider contacting:

- the police – phone **101** from any phone
- Through a prescribed person or body
<https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2/whistleblowing-list-of-prescribed-people-and-bodies>
- Secretary of State for Education through the Department for Education

DfE helpline

Telephone: 0370 000 2288 Website: www.gov.uk/contact-dfe

9.0 If you're treated unfairly after whistleblowing

You can take a case to an employment tribunal if you've been treated unfairly because you've blown the whistle.

If you are an employee you can get further information from the Advisory, Conciliation and Arbitration Service (ACAS), Citizens' Advice, the whistleblowing charity Protect or your trade union. All other parties may wish to get further information from Citizens' Advice and Protect.

If you reported your concern anonymously, you may find it harder to argue that your unfair treatment was as a result of your whistleblowing.

Employees must raise any claim of unfair dismissal within 3 months of your employment ending. Employees must notify ACAS if you want to take your case to an employment tribunal.