A CHURCH OF ENGLAND MULTI-ACADEMY TRUST
DEDICATED TO TRANSFORMING CHILDREN'S LIVES

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Summary of Changes from Previous Version

Version	Date	Author	Note/Summary of Revisions
V1.1	October 2023	Laura Lowe	Changes of contact details.
V1.2	March 2026	Laura Lowe	Consulted with JCC, no significant changes.

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1. Introduction and Background

- Whistleblowing" is a disclosure in the public interest of certain information to an employer, other responsible person or body by an individual who knows, or suspects, that an organisation is responsible for/is about to/has taken part in specified wrongdoing.

- The Trust are committed to the highest possible standards of honesty and integrity, and we expect all staff to maintain these standards. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur. A fair and transparent whistleblowing policy is an essential element to ensure accountability. In addition, setting out the policy in context will reinforce the culture of openness that is necessary for a whistleblowing policy to work effectively.

- This policy should enable any employee to blow the whistle on conduct which falls below the high standards of honesty, trust and integrity expected of publicly funded organisations.

- The policy should give employees the assurance that the employer will take a complaint seriously, and that all complaints will be dealt with in a fair and equitable manner, without fear of detriment to the employee.

- All stages of the policy will operate in accordance with the duties to promote equality, to eliminate discrimination and to promote good relations between staff with protected characteristics as required under the Equality Act 2010.

- The law on whistleblowing applies to employees and workers, including agency workers, homeworkers and trainees. It also applies to volunteers, contractors and members of the Governing Body. There is no length of service requirement for any of this group to 'blow the whistle'.

- As employees are often the first to realise that there may be something wrong, it is important that they feel able to express their concerns without fear of harassment or victimisation. The Public Interest Disclosure Act 1998 recognises this fact and is designed to protect employees who make certain disclosures of information in 'the public interest', from detriment and/or dismissal. This policy builds on the provisions of the Act. The law on whistleblowing is contained in the Employment Rights Act (ERA 1996) as amended by the Public Interest Disclosure Act 1998 (PIDA). The provisions in the ERA protect an individual who has disclosed information in public interest that show that a person has done one or more of a number of things that are specified in section 43B. Those things include failing to comply with a legal obligation and endangering the health and safety of an individual.

- Any disclosure should not go beyond being to the right person, for the right reason or motivation.

- This policy does not form part of any employee's contract of employment, and it may be amended at any time.

- This policy has been implemented following consultation with the recognised trade unions.

2. Scope and purpose

The aims of this policy are:

- To set out the Trust's policy and procedure for dealing with concerns raised by employees which relate to suspected wrongdoing or dangers at work.
- To provide avenues for employees to report concerns internally as a matter of course and receive feedback on any action taken.
- To provide for matters to be dealt with quickly and appropriately; ensure that concerns are taken seriously and treated consistently and fairly, whilst ensuring that confidentiality is respected.
- To reassure employees that they will be protected from reprisals or victimisation for whistleblowing where they are raised in good faith.
- To allow employees to take the matter further if they are dissatisfied with the Trust's response.

3. What is whistleblowing?

Whistleblowing is the disclosure of information which relates to suspected wrongdoing or dangers at work. The law provides protection for workers who raise legitimate concerns about specified matters or "qualifying disclosures". A qualifying disclosure is one made in public interest by a worker who has a reasonable belief of wrongdoing or dangers at work. The reasonable belief of the employee/worker' making the disclosure will tend to show that one or more of the following has occurred, is occurring, or is likely to occur.

Examples are detailed below:

- A criminal offence
- The breach of a legal obligation
- A miscarriage of justice
- A danger to the health and safety of any individual
- Damage to the environment
- Sexual Harassment
- Deliberate attempt to conceal any of the above

If an employee has any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) they should report it under this policy.

Before initiating the procedure, employees should consider the following:

- The responsibility for expressing concerns about unacceptable practice or behaviour rests with all employees.
- Employees should use Line Manager or team meetings and other opportunities to raise questions and seek clarification on issues which are of day-to-day concern.
- Whilst it can be difficult to raise concerns about the practice or behaviour of a colleague, employees must act to prevent an escalation of the problem and to prevent themselves being potentially implicated.

This policy should not be used for complaints relating to employees' personal circumstances, such as the way they have been treated at work. In those cases, employees should use the Grievance Procedure or Dignity at Work (Anti-harassment and Bullying) Policy.

When an employee blows the whistle, they believe they are making a qualifying disclosure about danger or illegality that affects others (e.g. pupils, members of the public, or their employer). We acknowledge that it may often be the case that the whistle-blower may often not be directly or personally affected by danger or illegality.

If an employee is uncertain whether something is a concern within the scope of this policy then we would strongly advise them to seek advice from a Trade Union representative, Trust's Leadership Team or from HR.

4. Raising a whistleblowing concern

There is no legal requirement that a disclosure must be made in a certain way to a specific person within the Trust.

As a first step, an employee should normally raise concerns with their immediate Line Manager. However, we recognise that in some cases this may not be appropriate and in these cases, we have appointed a Trust Whistleblowing Officer. The details of this person are given at the end of the policy.

For example, if an employee believes that their immediate Manager or their Manager's superior is involved, they should approach the EHT/Headteacher, a senior member of the Trust Leadership Team or the Whistleblowing Officer. An employee (including the school leaders and members of the central team) can bypass the direct management or the Senior Leadership Team if they feel the overall management of the School or Trust is engaged in an improper course of action.

We would encourage agency staff, volunteers, Governors etc. to contact the Whistleblowing Officer in the first instance.

Concerns are better raised in writing. The employee should set out the background and history of the concerns, giving names, dates and places where possible, and the reasons why they are particularly concerned about the situation. If an employee does not feel able to put the concern in writing, they should telephone or meet the appropriate person. It is important that, however the concern is raised, the employee makes it clear that they are raising the issue in line with the whistle-blowing procedure.

The earlier an employee expresses the concern, the easier it is to take action. Although an employee is not expected to prove the truth of an allegation, they will need to demonstrate to the person contacted that there are sufficient grounds for the concern and that this is raised in good faith.

In some instances, it may be appropriate for an employee to ask the trade union to raise a matter on the employee's behalf.

At each meeting under this policy the employee may bring a colleague or trade union representative. The companion must respect the confidentiality of the disclosure and any subsequent investigation.

We will arrange a meeting with the employee as soon as possible to discuss the concern.

Please see stages outlined in the appendix.

5. Safeguards

Harassment or Victimisation

The Trust recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Trust will not tolerate harassment or victimisation and will take action to protect employees when they have raised a concern in good faith. Employees who make a disclosure in good faith will be protected from dismissal in relation to the disclosure itself.

This does not mean that if an employee is already the subject of internal procedures such as disciplinary or redundancy, those procedures will be halted because of raising a concern under the whistleblowing policy.

A whistleblower's employment rights are protected in the law from victimisation if they follow the criteria below:

- that they made a qualifying disclosure in good faith;
- that they reasonably believed the information was substantially true;
- that it was a qualifying disclosure as per the PIDA;
- the procedure was followed;
- if the disclosure was made outside the trust, that it was made to a 'prescribed person or body', rather than another third party such as the press.

Confidentiality

We hope that employees will feel able to voice whistleblowing concerns openly under this policy. However, if employees want to raise concerns confidentially, we will make every effort to protect their identity.

As indicated above, identity will be protected as far as possible but should the investigation into the concern require the employee to be named as the source of the information, that this will be discussed with the employee before their name is disclosed.

All investigations, letters and associated paperwork will be dealt with in the strictest of confidence and in line with legal and Data Protection requirements.

6. Anonymous Disclosures

We do not encourage employees to make disclosures anonymously. Being anonymous does not stop others from successfully guessing who raised the concern. In addition to this, it can lead people to focus on the whistle-blower and perhaps begin to suspect that they are raising the concern maliciously. It is also harder for those tasked with investigating the concern if they cannot ask follow-up questions. It is also important to recognise that it is easier to gain protection under the Public Interest Disclosure Act if the concerns are raised openly.

Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the other contact points listed and appropriate measures can then be taken to preserve confidentiality. If an employee is in any doubt, they can seek advice from Public Concern at Work, the independent whistleblowing charity who offers a confidential helpline. Their contact details are given at the end of this policy. The Trust encourages employees to contact their union representative in the first instance.

Where we receive anonymous complaints, we will make a determination about whether to investigate based on:

- the seriousness of the issue raised
- the credibility of the concern; and
- the likelihood of confirming the allegation from other sources.

We will keep a central record of disclosures made under the Whistleblowing policy.

We will comply with data protection requirements in terms of any records made and kept.

7. Unsubstantiated and unfounded Disclosures

If an employee makes an allegation that was raised in good faith, but it is not confirmed by the investigation, no action will be taken against that employee. If, however, we conclude that an employee has made malicious or vexatious allegations, or with a view to personal gain, disciplinary action may be taken against that employee.

Following investigation, allegations may also be confirmed as unfounded. This outcome will be notified to the employee who raised the concern, who will be informed that the Trust deems the matter to be concluded and that it should not be raised again unless new evidence becomes available.

8. External disclosures

The aim of this policy is to provide mechanisms for reporting, investigation and remedying any wrongdoing in the workplace. The law recognises that in some circumstances it may be appropriate for the employee to report their concerns to an external body such as a regulator. If an employee feels unable to use this procedure and raise concerns internally, employees are to seek advice to ensure the disclosure is made to a prescribed person or body.

If an employee is not satisfied with the response of an investigation, the Manager or Whistleblowing Officer should ensure that they are made aware of who they may raise the matter with externally:

- 'Protect' Tel no: 0207 404 6609*
- Recognised Trade Union;
- Senior LA Officer;
- External Auditor;
- Relevant professional bodies or regulatory organisations;
- Solicitor.

A disclosure to some other person who it is reasonable to disclose.

*Protect is a registered charity that employees can contact for advice to assist them in raising concerns about poor practice at work. The charity also provides advice to employers as to the possible ways to address these concerns.

Concerns about safeguarding practices can be raised externally using the NSPCC whistleblowing helpline. Employees can call 0800 028 0285 or email help@nspcc.org.uk.

Whistleblowing concerns usually relate to the conduct of employees, but they may sometimes relate to the actions of a third party, such as a contractor, supplier or service provider. The law allows employees to raise a concern with a third party, where they reasonably believe it relates mainly to their actions or something that is legally their responsibility.

9. If an employee is not satisfied

While we cannot always guarantee the outcome that an employee is seeking, we will try to deal with the concern fairly and in an appropriate way. By using this policy, employees can help us to achieve this.

If an employee is not happy with the way in which the concern has been handled, they can raise it with one of the other key contacts in above. Alternatively, they may contact the Chair of Directors or our external auditors. Contact details are set out within this policy.

10. Protection and support for whistle-blowers

It is understandable that whistle-blowers are sometimes worried about repercussions. We aim to encourage openness and will support staff who raise concerns in good faith under this policy, even if they turn out to be mistaken.

It is recognised that raising concerns can be difficult and stressful. Advice and support will be made available, as appropriate to both the employee(s) raising the concerns and any employee(s) subject to investigation.

Employees must not suffer any detrimental treatment because of raising a genuine concern.

Employees must not threaten or retaliate against whistleblowers in any way. Anyone involved in such conduct will be subject to disciplinary action.

11. Review of policy

This policy will be monitored to ensure consistency of application and adherence to the equalities legislation, to ensure that the policy operates in accordance with the duty to promote equality, to eliminate discrimination and to promote good relations between staff with protected characteristics under the Equality Act 2010.

12. Contacts

Whistleblowing Officer	Leanne Holmes Finance and Operations Director leanne.holmes@laat.co.uk
CEO	Jacqueline Waters-Dewhurst 01526 888482 jackie.wd@laat.co.uk
Chair of Directors	Jeremy Woolner chair@laat.co.uk
Trust's External Auditors	Mazars David Hoose 01159644744
Public Concern at Work (Independent whistleblowing charity)	Helpline: (020) 7404 6609 E-mail: whistle@pcaw.co.uk Website: www.pcaw.co.uk

Appendix 1

Investigation and outcome

The Trust is committed to ensuring that any investigation will be carried out by a suitably trained person with no prior involvement in the case. Any investigation will be carried out as quickly as possible and normally within 30 days. Meetings will be handled with sensitivity and confidentiality.

Managers dealing with whistleblowing complaints will be trained in how to deal with a protected/qualifying disclosure; in particular, the level of confidentiality, independence and accountability required.

When an Investigating Manager is made aware of a disclosure, they will contact the Whistleblowing Officer who will determine who will undertake any investigations.

Stage One:

At the initial meeting the Investigating Manager should establish that:

- there are genuine cause and sufficient grounds for the concern; and
- the concern has been appropriately raised via the Whistle-blowing Policy.

The Investigating Manager should ask the employee to put their concern(s) in writing if they have not already done so. If the employee is unable to do this the Investigating Manager will take down a written summary of their concern/s and provide them with a copy after the meeting. The Investigating Manager should make notes of the discussions with the employee; these should be agreed to and provided to the person raising the issue.

The employee's letter and/or Investigating Manager's notes should make it clear that the employee is raising the issue via the whistle-blowing procedure and provide:

- the background and history of the concerns; and
- names, dates and places (where possible); and
- the reasons why the employee is particularly concerned about the situation.

The employee should be asked to date and sign their letter and/or the notes of any discussion. The Investigating Manager should positively encourage the employee to do this, as a concern expressed anonymously is much less powerful and much more difficult to address, especially if the letter/notes become evidence in other proceedings, e.g. an internal disciplinary hearing.

The Investigating Manager should follow the policy as set out above and explain to the employee:

- who they will need to speak to to determine the next steps (e.g. EHT/Headteacher).
- what steps they intend to take to address the concern.
- how they will communicate with the employee during and at the end of the process. It should be noted that the need for confidentiality may prevent the school giving the employee specific details of any necessary investigation or any necessary disciplinary action taken as a result.
- that the employee will receive a written response within ten working days.
- that their identity will be protected as far as possible but should the investigation into the concern require the employee to be named as the source of the information, that this will be discussed with the employee before their name is disclosed.

- that the Trust will do all that it can to protect the employee from discrimination and/or victimisation and dismissal.
- that the matter will be taken seriously and investigated immediately.
- that if the employee's concern, though raised as a genuine concern, is not confirmed by the investigation, no punitive action will be taken against them.
- if clear evidence is uncovered during the investigation that they have made a malicious or vexatious allegation, disciplinary action may be taken against them; and
- the investigation may confirm their allegations to be unsubstantiated in which case the Governing Body will deem the matter to be concluded unless new evidence becomes available.

Stage Two:

Following the initial meeting with the employee, the Investigating Manager should consult with the EHT/Headteacher or a member of the central leadership team to determine whether an investigation is appropriate and, if so, what form it should take.

A record should be made of the decisions and/or agreed actions.
It may be necessary, with anonymous allegations, to consider whether it is possible to take any further action. When making this decision, Senior
Managers should take the following factors into account:

- the seriousness of the issue(s) raised.
- the credibility of the concern(s); and
- the likelihood of confirming the allegation(s) from attributable sources.

In some cases, it may be possible to resolve the concern(s) simply, by agreed action or an explanation regarding the concern(s), without the need for further investigation. However, depending on the nature of the concern(s) it may be necessary for the concern(s) to:

- be investigated internally.
- be referred to the police.
- be referred to the external auditor.
- form the subject of an independent inquiry.

Investigating Managers should have a working knowledge and understanding of other Trust policies and procedures, e.g., grievance, disciplinary, harassment, child protection procedures, to ensure that concerns raised by employees are addressed via the appropriate procedure/process.

Stage Three:

Within ten working days of a concern being received, the Manager receiving the concern must write to the employee:

- acknowledging that the concern has been received.
- indicating how they propose to deal with the matter.
- giving an estimate of how long it will take to provide a final response; and/or

- telling the employee whether any initial enquiries have been made; and

- telling the employee whether further investigations will take place, and if not why not; and/or
- letting the employee know when s/he will receive further details if the situation is not yet resolved.

In some cases, we may appoint an investigator or team of investigators, including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) will collate findings on the matter and may make recommendations for change to enable us to minimise the risk of future wrongdoing.

The designated whistleblowing lead will decide, based on the investigation report, whether there is a case to answer, and if so, that the complaint will be dealt with internally or referred externally, or that no action is required.

We will aim to keep employees informed of the progress of the investigation, its timescale and outcome. However, sometimes the need for confidentiality may prevent us giving specific details of the investigation or any action taken as a result. Employees should treat any information about the investigation as confidential. Any investigations should be completed as soon as is possible and usually within 15 working days.