

Whistleblowing policy and procedure

Contents

Policy and principles	
1.0 Purpose	2
2.0 Definitions and scope of this policy	2
3.0 Principles and safeguards	4
3.1 Harassment and victimisation	4
3.2 Detriment	4
3.3 Confidentiality	4
3.4 Anonymous allegations	4
3.5 Untrue allegations	5
3.6 Use of school premises (leasing)	5
Procedure	
4.0 How to raise a concern	6
5.0 How the Trust will respond	7
6.0 How the matter can be taken further	8
General information	
7.0 Consultation	9
Policy history/amendment record	9
Appendix 1: Considering how to raise your concerns	10

1.0 Purpose

This policy aims to enable and encourage staff to raise concerns within our Trust. It recognises a worker's legal rights to make a protected disclosure to certain prescribed persons or bodies under the Public Interest Disclosure Act 1998 and any subsequent legislation, as incorporated into the Employment Rights Act 1996. Other individual's performing functions in relation to our Trust are also encouraged to use it (e.g., governors, volunteers and agency workers).

Our Trust is committed to creating a safe, open and transparent workplace culture where employees are encouraged to raise concerns at the earliest opportunity. We recognise that employees/ workers are often the first to realise that there may be wrongdoing within an organisation.

We want to ensure that if people working in our Trust are concerned that something wrong may be happening within our Trust (a Trust school or the Central team) they feel able to express their concerns without fear of harassment or victimisation.

We are committed to operating within the highest possible standards of openness and accountability as is shown in the Trust's Code of Conduct which is available from the People Team. In line with that commitment, we encourage employees and others with serious concerns about any aspect of the Trust's work to come forward and voice those concerns. We recognise that certain cases will have to proceed on a confidential basis. This policy makes it clear that employees can do so without fear of reprisal and is intended to encourage and enable employees to raise serious concerns within a Trust school rather than overlooking a problem or publicly disclosing the matter.

In summary this policy aims to:

- provide avenues for employees/workers ('you') to raise concerns
- provide mechanisms for you to receive updates and feedback on any action taken
- provide a mechanism for you to receive a written response detailing the outcome of the process.

2.0 Definitions and scope of this policy

The Public Interest Disclosure Act 1998 was enacted to ensure a climate of greater frankness between employers and workers so that irregularities can be identified and addressed quickly and to strengthen employment rights by protecting responsible

workers who blow the whistle about wrongdoing or failures in the workplace. The policy set out in this document applies those statutory provisions to schools within our Trust.

For the purpose of this policy, the Trust recognises that whistleblowing is the passing on of information about wrongdoing at work. The whistleblower must reasonably believe that they are acting in the public interest

The Public Interest Disclosure Act 1998 provides protection for employees/workers who raise legitimate concerns in the public interest, 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 there has or is likely to be:

- a criminal offence (such as insurance fraud or illegal tax evasion or an employer has been trying to bribe people)
- a breach of any other legal obligation by an organisation (for example, a school has neglected their duty of care towards pupils or a member of the public for whom they have a responsibility)¹
- a miscarriage of justice – for example a member of staff has been dismissed for something that turned out to be a computer error
- someone's health and safety being in danger, for example, an employer has forced staff to service contaminated food)
- seeking undue favour over a contractual matter or a job application; or against the Trust's Financial Regulations
- damage to the environment (for example, an employer has been regularly polluting local rivers);
- deliberately covering up/concealment of any of the above.

You can make a qualifying disclosure about an issue that has happened at any time. This includes if it's likely to happen in the future.

A protected disclosure is a qualifying disclosure under the Employment Rights Act 1996 that is made by a worker that they reasonably believe shows serious wrongdoing within the workplace. This will typically relate to some form of dangerous or illegal activity that the person has witnessed at work.

This policy covers concerns that fall outside the scope of other procedures. It is not intended as recourse against financial or business decisions made by the Trust. Nor is it an alternative to well-established disciplinary or grievance procedures. It may, however,

¹ not a personal contractual breach unless such breach involves a matter of public interest

overlap with other policies for dealing with complaints.

3.0 Principles and safeguards

Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Everyone should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.

3.1 Harassment or victimisation

We recognise that the decision to report a concern can be a difficult one to make. The Trust will take all reasonable steps to protect you when you raise a concern in good faith. It will not tolerate any resulting harassment or victimisation (including informal or indirect pressures) and will treat this as a serious disciplinary offence which will be dealt with under the appropriate procedures.

Any investigation into an allegation of malpractice will not influence or be influenced by any disciplinary or redundancy procedures which already affect you. If allegations of malpractice arise during a disciplinary those allegations will be investigated at the same time as the disciplinary procedure.

3.2 Detriment

The Trust is committed to ensuring that an employee who makes an allegation in good faith suffers no detriment from doing so. Staff must not treat anyone raising a qualifying concern unfavourably as a result of them raising the concern. Any member of staff involved in such conduct will be subject to disciplinary action.

3.3 Confidentiality

All concerns will be treated in confidence and the Trust will endeavour to protect your identity if you do not want your name to be disclosed. If investigation of a concern discloses a situation which is sufficiently serious to warrant disciplinary action or police involvement, then your evidence may be important. Your name will not however be released as a possible witness until the reasons for its disclosure at this stage have been fully discussed with you.

3.4 Anonymous allegations

Anonymous allegations will be considered under this policy; however, individuals are encouraged to provide their name when raising concerns, as anonymous reports can be more difficult to investigate effectively. While we will review all anonymous disclosures, the ability to conduct a thorough investigation may be limited without the opportunity to seek further information or clarification from the whistleblower. Nonetheless, any

anonymous allegation received will be assessed on its merits, and action will be taken where appropriate based on the information available. If you are a union member you may wish to seek their advice and support when raising an allegation.

When we receive anonymous allegations, we will consider:

- the seriousness of the issues raised
- the likelihood of confirming the allegation from attributable sources
- the Trust's best interests
- the protection of the Trust's assets.

3.5 Untrue Allegations

If you make an allegation in good faith but it is not confirmed by the investigation, no reprisals will be taken against you. If, however, you make malicious or vexatious allegations, disciplinary action may be taken against you.

3.6 Use of school premises

The Trust may receive an allegation relating to an incident that happened when an individual or organisation was using one of our school premises for the purposes of running activities for children (for example community groups, sports associations, or service providers that run extra-curricular activities). As with any safeguarding allegation, we would follow our safeguarding policy and procedures, including informing the LADO.

4.0 Support

Independent Advice and Support

If you are unsure whether to use this procedure or if you want to take independent advice at any stage you may find it helpful to contact the UK's whistleblowing charity that aims to stop harm by encouraging safe whistleblowing: <https://Protect-advice.org.uk> (Tel: 020 3117 2520). Their advisers can give you free confidential advice at any stage about how to raise a concern about serious malpractice at work. They will support you and advise you on the law and how best to proceed. This is a confidential service.

UK government advice on Whistleblowing for employees www.gov.uk/whistleblowing

NSPCC whistleblowing advice line: 0800 0280285 help@nspcc.org.uk

Acas guidance on whistle-blowing: [The law - Whistleblowing at work - Acas](#)

Trade Unions: This policy has been discussed with the relevant trade unions and

professional organisations and has their support. If you are a union member, seeking advice from, and being represented by, your trade union may be the best course of action to raise any issue under this policy. The Trust recognises and endorses the role which trade unions and their officers play in this process.

Confidential support is also available from our Trust Employee Assistance Programme and may include counselling if appropriate, in addition to practical information and advice. The Trust EAP is run by Education Support. They can be contacted on 08000 562 561.

5.0 Procedure

How to raise a qualifying concern

Initially, you should raise your concerns by discussing the matter with the CEO. If you are a member of a Trade Union or Professional Association, you may consider it useful to contact them for advice at the earliest opportunity.

If the concerns involve the CEO or it is not appropriate due to the nature of your concerns, you should initially raise the concerns with the Chair of the Trust board via email to gaby.willis@ivyeducationtrust.co.uk

The individual receiving the concern will be referred to as the 'lead officer' throughout the remainder of the policy.

The lead officer will then liaise accordingly to ensure that the concern is properly investigated. If the allegations arise from a disciplinary matter, they will be investigated as part of the disciplinary investigation.

Alternatively, if you feel you cannot express your concerns as detailed above, you can raise your concern(s) externally to one of the bodies listed on the 'List of prescribed persons and bodies'. [Whistleblowing: list of prescribed people and bodies - GOV.UK](#)

Where the concern relates to [qualifying disclosure in relation to child protection](#) and you do not wish to raise it directly with the Trust or the individual school, you should inform the Local Authority Designated Officer for Safeguarding (LADO) (via email at ladosecure-mailbox@devon.gsx.gov.uk or on 01392 384964). If the concern requires Police or other agency/authority involvement, the whistleblowing process will be halted until the relevant agencies have completed any necessary investigations and confirmed that it is appropriate to continue with the Whistleblowing procedure.

Concerns can be raised orally but it is good practice for the concern to be recorded in writing at an early stage to ensure that all the details are correctly understood.

A written allegation should set out the background and history of the concern (giving names, dates and places where possible) and the reason why you are particularly concerned about the situation. It is preferable for you to record this in writing yourself. However, where the person to whom you voice your concerns writes these down, a copy will be sent to your home address or via your representative to give you an opportunity to agree this as a correct record.

Although you are not expected to prove the truth of your allegation, you will need to demonstrate to the person contacted that there are sufficient grounds for your concern.

You may wish to seek advice from your trade union representative on how best to raise your concern. Where you wish to raise your concern anonymously this may be done through your trade union.

How the Trust will respond

The action taken by the Trust will depend on the nature of the concern. After initial enquiries to assess the seriousness, the matters raised may;

- Be investigated by the Trust executive team, internal/external auditors or if applicable through the disciplinary process
- Be referred to the Police
- Be referred to external auditors
- Need to be the subject of a referral to the Teaching Regulation Agency
- Form the subject of an independent enquiry

If urgent action is required in response to a concern this may be taken before a full investigation is conducted.

Some concerns may be resolved by action agreed with you without the need for investigation or it may be that an investigation can be completed without the person(s) under investigation being aware of the process.

In any event within **five** working days of a concern being received, the Trust will write to you at your home address to:

- acknowledge that the concern has been received
- indicate how it proposes to deal with the matter

- give an estimate of how long it will take to provide a final response
- tell you whether any initial enquiries have been made, and
- tell you whether further investigation will take place, and if not, why not
- where appropriate name an independent Support Officer to support you during any investigation.

Following discussion with you, where it is felt appropriate to appoint a Support Officer, that person will make contact with you, deal with all confidentiality issues, agree frequency of contact and explain their role to you, which is to:

- keep you informed about the progress of the investigation
- inform the Investigating Officer of any further issues you may have
- raise any concerns you may have about the conduct of the investigation
- take appropriate steps to support you in the workplace
- support you if you are required to give evidence at any criminal or disciplinary proceedings that arise from your concern.

If you wish to retain your anonymity you will need to nominate a representative and/or a contact address where correspondence may be directed in order to keep you informed.

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

When any meeting is arranged, you have the right, if you so wish, to be accompanied by a trade union or professional association representative or a friend (who need not be associated with the Trust).

The Trust accepts that you need to be assured that the matter has been properly addressed. Accordingly, subject to legal and/or confidentiality constraints, the CEO or Chair of the Trust Board will ensure that you are provided with information about the outcome of any investigations and/or proceedings.

6.0 How the matter can be taken further

This policy is intended to provide you with a way to raise concerns. The Trust hopes you will be satisfied by its response. If you are not you may wish to raise the matter with one of the following possible contact points;

- relevant professional bodies or regulatory organisations
- your trade union or professional association
- your solicitor or legal adviser

- the Police
- the Health and Safety Executive
- Protect: an independent whistleblowing charity (whistle@protect-advice.org.uk)
- The NSPCC whistleblowing helpline: help@nspcc.org.uk
- 'Public Concern at Work' – Registered Charity

7.0 Consultation

This policy is provided following consultation with trade unions/professional associations and will apply to all employees. This policy is also for the Trust Board to consider for adoption. Should the Trust Board wish to make changes to this Policy, the required consultation must be undertaken with the County Officers of the recognised trade unions/professional associations.

This policy supersedes all previous whistleblowing policies.

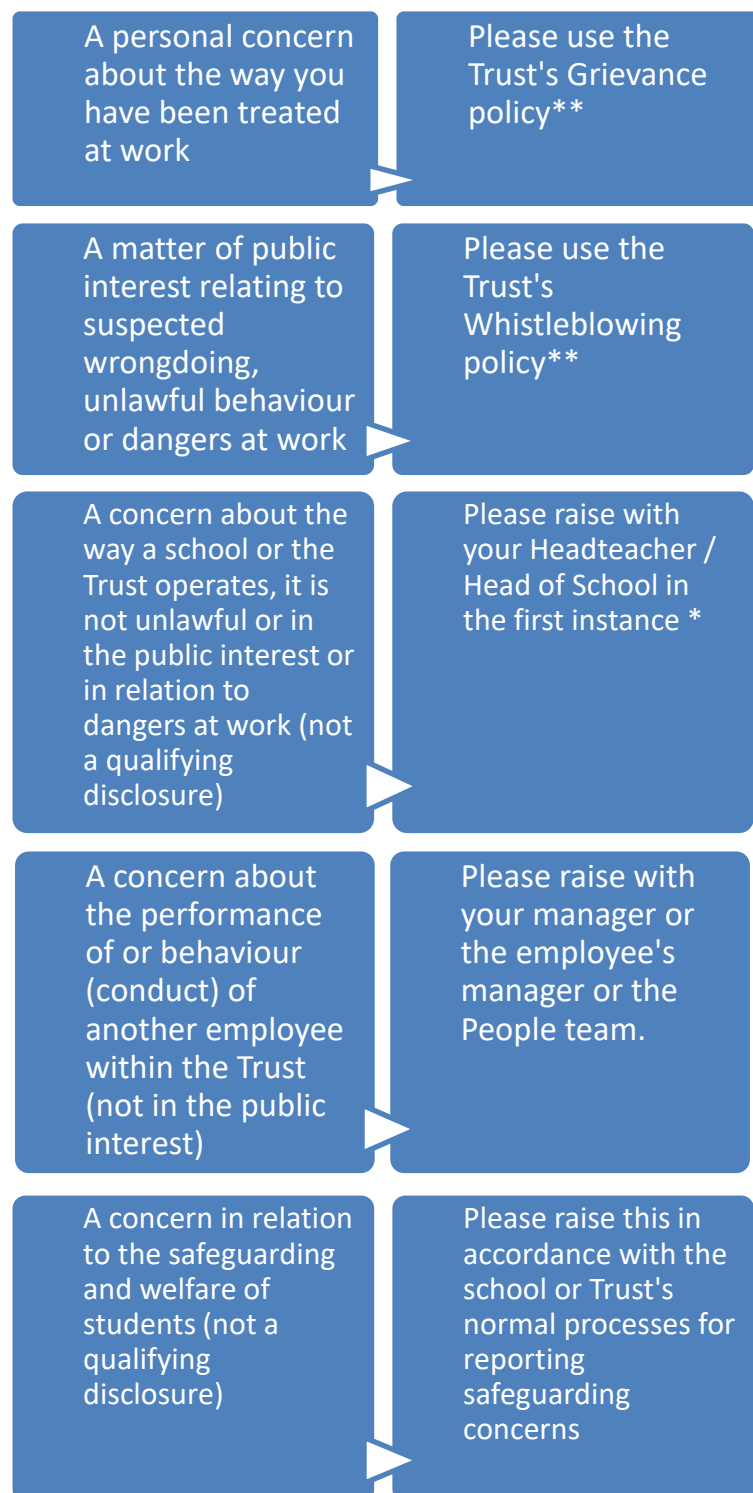
Policy History/Amendment Record – Whistleblowing Policy

Date	Summary of change	Contact	Implementation Date	ReviewDate
January 2016	New Policy Date of consultation with recognised Trade Unions –Dec 2015	HR ONE	January 2016	
November 2019	Update to language to reflect changes in Trust structure and name		November 2019	
June 2022	Update to Trust name	Scott Deeming	July 2022	No later than July 2025
September 2023	Addition of use of school premises guidance from KCSiE September 2023.	CF LP	4 September 2023	No later than July 2025
March 25	Reformatted into new policy format. Added support section including links to external support. Updated examples in qualifying disclosures (reference ACAS). Appendix A added to support staff when considering route to follow.	DofP	1 September 2025	No later than May 2027

Appendix A: Considering how to raise your concern(s)

Please remember confidential advice is available via your trade union or the Protect helpline, you may wish to seek advice to help you when considering the route to follow. The chart below is intended to help you. Please do seek advice if you need support.

Is your concern:



*Please note that even if your concern isn't a qualifying disclosure under whistleblowing law, it can and should still be raised through other appropriate channels.

**If your concern involves both personal treatment *and* public interest issues, please seek advice from your trade union or the People Team about which route to follow.