Heathland Whitefriars Federation

WHISTLEBLOWING POLICY AND PROCEDURES

Approved by Board of Directors: December 2025

Next Review Due: October 2027

Heathland Whitefriars Federation seeks to conduct all aspects of Trust/School business and activity with full regard for high standards of conduct and integrity.

In the event that a Trust employee become aware of activities which give cause for concern, the Trust has established this whistleblowing policy, and related procedures as a framework to allow concerns to be raised confidentially and provides for a thorough and appropriate investigation of the matter to bring it to a satisfactory conclusion.

For the purposes of this policy only, Trust employees are defined as permanent and temporary employees, agency staff, volunteers and staff working on site for contractors and suppliers.

Background

As employees are often the first to realise that there may be something wrong within the Trust/School, it is important that they feel able to express their concerns without fear of harassment or victimisation otherwise they may find it easier to ignore the concern rather than report it.

The Public Interest Disclosure Act 1998 (PIDA) (in force since January 1999) 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 Board of Directors is committed to the highest possible standard of operation, probity and accountability. In line with that commitment, employees and others with serious concerns about any aspect of the Trust's or its School's work are encouraged to come forward and voice those concerns.

This policy document makes it clear that employees can do so without fear of reprisals; it is intended to encourage and enable employees to raise serious concerns within the Trust/School rather than overlooking a problem or blowing the whistle outside in an inappropriate way. It is recognised that cases may have to proceed on a confidential basis.

Legislation

The requirement to have clear whistle-blowing procedures in place is set out in the Academy Trust Handbook.

This policy has been written in line with the above document, as well as government guidance on whistle-blowing. The Trust will also consider the Public Interest Disclosure Act 1998.

Aims and Scope of the Policy

This policy aims to:

- provide avenues for employees to raise concerns internally as a matter of course, and receive feedback on any action taken;
- provide for matters to be dealt with quickly and appropriately; and ensure that concerns are taken seriously;
- reassure employees that they will be protected from reprisals or victimisation for whistleblowing where they have a genuine concern;
- allow employees to take the matter further if they are dissatisfied with the Board of Directors' response.

This policy describes how any employee can raise any concerns they may have about working practices and who should be informed about the concerns. It may be that issues raised under this policy will be addressed via other procedures, e.g. anti-fraud and corruption, grievance, disciplinary, harassment and safeguarding and child protection procedures.

Concerns which fall within the scope of the whistleblowing procedure includes where an employee

honestly and reasonably believes that malpractice, danger or wrongdoing has occurred, is in the process of being committed or is likely to be committed, which may include:

a. criminal activity;
b. a miscarriage of justice;
c. danger to health and safety;
d. risk or actual damage to the environment;
e. failure to comply with any legal or professional obligation or regulatory requirements;
f. the deliberate concealment of any of the above matters.
The Public Interest Disclosure Act 1998 (PIDA) covers disclosures under categories (a) to (f) above
g. bribery;
h. financial fraud or mismanagement;
i. negligence;
j. breach of our internal policies and procedures;
k. conduct likely to damage our reputation;
l. unauthorised disclosure of confidential information;
m. public examination fraud;
n. the deliberate concealment of any of the above matters.

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 their 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.

All employees have the right to raise concerns, which could be about the actions of other employees, private contractors, Directors, volunteers or outside agencies.

Concerns raised by employees about their own conditions of service or personal circumstances, should be addressed via the Trust's Grievance Procedure or, if the matter relates to salary, the salary review procedures documented in the Trust's Pay Policy.

Safeguards

Harassment or Victimisation

The Board of Directors 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 Board of Directors will not tolerate harassment or victimisation and will act to protect employees when they raise a genuine concern.

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

Confidentiality

The Board of Directors will do its best to protect an employee's identity if confidentiality is requested. However, it must be understood that should the concern raised need to be addressed through another procedure, e.g. disciplinary procedures, the employee may be asked to provide a signed statement as part of the evidence, thus revealing identity. Failure to provide such a statement may mean that further action cannot be taken by the Board of Directors to address the concern and in some circumstances, the Board of Directors may have to disclose the identity of the employee without their consent, although this will be discussed with the employee first.

Anonymous Allegations

Employees are encouraged to put their name to an allegation. Allegations expressed anonymously are much less credible and more difficult to address, but they will be considered at the discretion of the Board of Directors. In exercising the discretion, the factors to be considered would include:

- the seriousness of the issues raised;
- the credibility of the concern; and
- the likelihood of confirming the allegation from attributable sources.

Untrue Allegations

If an employee makes an allegation and has a reasonable belief that the allegation is true and concerns wrongdoing or malpractice, but it is not confirmed by the investigation, no action will be taken against that employee. If, however, there is clear evidence that an employee has made malicious or vexatious allegations, disciplinary action may be taken against that employee.

Unfounded Allegations

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

Support for Employees

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 the employee(s) subject to investigation.

How to raise a Concern

As a first step, an employee should normally raise concerns with their line manager or their line manager's superior. This depends, however, on the seriousness and sensitivity of the issues and who is involved. For example, if an employee believes that their line manager or their manager's superior is involved, the employee should approach the Headteacher or Chair of the Board of Directors.

The Academy Trust Handbook requires that the Trust should appoint at least one Trustee/Director and one member of staff who other staff can contact to report concerns. Our named contacts are Chair of the Board of Directors, Lynne Malzard and staff member, Claire Thompson (COFO). Lynne Malzard may be contacted via our Company Secretary, Angela Bowd or Claire Thompson on her staff email address.

An employee (including the Headteacher and members of the leadership team) can by-pass their direct line management and the Board of Directors if they feels the overall management and Board of Directors of the Trust/School is engaged in an improper course of action; in this case please refer to the section on *Raising Concerns Outside the Trust* below.

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.

In some instances, it may be appropriate for an employee to ask their trade union to raise a matter on the employee's behalf. An employee is entitled to seek confidential advice on the matter from their trade union representative.

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

The Role of Senior Leaders

A Senior Leader may be informed by an employee about concern(s) and that they are "blowing the whistle" within the procedure in person; or in writing or over the phone.

The Senior Leader should respond immediately by arranging to meet with the employee to discuss the concern(s) as soon as possible.

Stage One

At the initial meeting the Senior Leader should establish that:

- there is genuine cause and sufficient grounds for the concern; and
- the concern has been appropriately raised via the Whistleblowing Policy.

The Senior Leader should ask the employee, to put their concern(s) in writing, if they have not already done so. The Senior Leader should make notes of the discussions with the employee and provide the employee with a written summary after the meeting. The employee's letter and/or Senior Leader's notes should make it clear that the employee is raising the issue via the whistleblowing procedure and provide:

- the background and history of the concerns;
- names, dates and places (where possible);
- 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 Senior Leader 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 Senior Leader should follow the policy as set out above and in particular explain to the employee:

- who they will need to speak to in order to determine the next steps;
- 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 Trust from giving the employee specific details of any necessary investigation or any necessary disciplinary action;
- ~~taken as a result and that a~~ that the employee will receive a written response will be sent out 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 Board of Directors will do all that it can to protect the employee from discrimination and/or victimisation;
- that the matter will be taken seriously and investigated immediately; and
- that if the employee's concern is raised in accordance with this policy but is not confirmed by the investigation, no punitive action will be taken against them.

The Senior Leader should explain to the employee that:

- 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 unfounded in which case the Board of Directors will deem the matter to be concluded and they will be expected not to raise the concern again, unless new evidence becomes available.

The employee may be accompanied by a trade union representative or workplace colleague at this meeting.

Stage Two

Following the initial meeting with the employee, the Senior Leader should consult with the Headteacher or Chair of the Board of Directors 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 Leaders 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 Trust's external auditor;
- form the subject of an independent enquiry.

Senior Leaders should have a working knowledge and understanding of other Trust/School policies and procedures, e.g. disciplinary, harassment, safeguarding and child protection procedures, to ensure that concerns raised by employees are addressed via the appropriate procedure/process. Advice is available from the Trust's HR advisor EPM.

Stage Three

Within ten working days of a concern being received, the Senior Leader 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 they will receive further details if the situation is not yet resolved; and
- providing the employee with details of whom to contact should they be dissatisfied with this response (see Wider Disclosure).

Outcome of the investigation

Once the investigation – whether this was just the initial investigation of the concern, or whether further investigation was needed – is complete, the investigating person(s) will prepare a report detailing the findings and confirming whether or not any wrongdoing has occurred. The report will include any recommendations and details on how the matter can be rectified, and whether or not a referral is required to an external organisation, such as the local authority or police.

They will inform the person who raised the concern of the outcome of the investigation, though certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the Headteacher, Trustees and other staff, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing. Whilst the Trust cannot always guarantee the outcome sought, the Trust will try to deal with concerns fairly and in an appropriate way.

Board of Directors Consideration

The Headteacher will inform the Board of Directors of any concerns raised through this policy and the response. The Board of Directors will take such action as it deems necessary in light of any concerns raised through this policy.

Raising Concerns relating to the Headteacher(s)

Any concern regarding the Headteacher(s) will need to be reported to the Chair of the Board of Directors. The Chair of the Board of Directors on receiving the information should respond immediately by arranging to meet with the employee to discuss the concern(s) as soon as possible.

The Chair of the Board of Directors will then follow the procedures below. The Chair of the Board of Directors should also seek advice from the Trust's COFO and EPM the Trust's external HR advisory.

Stage One

An initial meeting to establish that:

- there is genuine cause and sufficient grounds for the concern; and
- the concern has been appropriately raised via the Whistle-blowing Policy.
- the employee puts their concern(s) in writing, if they have not already done so. If the employee is unable to do this the Chair of the Board of Directors will take down a written summary of the employee's concern/s and provide the employee with a copy of those concerns after the meeting. The Chair of the Board of Directors should make notes of the discussions with the employee. 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 including 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 employee should be positively encouraged to do this, as a concern expressed anonymously is much less credible and much more difficult to address, especially if the letter/notes become evidence in other proceedings, e.g. an internal disciplinary hearing.

The Chair of the Board of Directors should follow the policy as set out above and in particular explain to the employee:

- who the employee will need to speak to in order to determine the next steps;
- what steps the Chair of the Board of Directors intends to take to address the concern;
- how the Chair of the Board of Directors 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 Board of Directors will do all that it can to protect the employee from discrimination and/or victimisation;
- 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 the employee has made a malicious or vexatious allegation, disciplinary action may be taken against them; and
- the investigation may confirm their allegations to be unfounded in which case the Board of Directors will deem the matter to be concluded unless new evidence becomes available.

Stage Two

Following the initial meeting with the employee, the Chair of the Board of Directors should seek HR advice from the COFO and EPM HR advisory 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 the following factors should be considered:

- 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.

Stage Three

Within ten working days of a concern being received, the Chair of the Board of Directors 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.

Raising Concerns Outside the Trust

The whistleblowing policy is intended to provide employees with a mechanism for reporting, investigating and remedying any wrongdoing in the workplace. In most cases the employee should not find it necessary to alert anyone externally. The law recognises that in some circumstances it may be appropriate for the employee to report his/her concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. Employees are strongly encouraged to seek advice before reporting a concern to anyone external. In circumstances where an employee decides to raise the matter externally they will only be protected under this procedure, and under employment law, where the disclosure is made in accordance with the Public Interest Disclosure Act 1998 (PIDA). **This means that the disclosure must fall under one of the 6 categories listed in bullet points (a) to (f) on page 1 above.**

If an employee is not satisfied with the Board of Directors' response, the Senior Leader should ensure that the employee is made aware of with whom they may raise the matter externally, namely, one or more of the following:

- Protect (formerly 'Public Concern at Work') www.protect-advice.org.uk; telephone no. 020 3117 2520*;
- Citizens' Advice
- a recognised trade union;
- the Trust's external Auditor;
- relevant professional bodies or regulatory organisations
- the police (101)
- a solicitor.
- An MP (Heathland: Gareth Thomas (020 8861 6300 or 020 7219 4243 / Whitefriars: Bob Blackman (020 8421 3323 or 020 7219 7082)
- a relevant professional body or regulatory organisation:
    - HM Chief Inspector of Education (0370 000 2288)
    - The Secretary of State for Education (020 7219 7087)
    - Health & Safety Executive (via https://www.hse.gov.uk/)
    - NSPCC whistleblowing helpline. (0808 800 5000 or email help@nspcc.org.uk).

The above contact list is up to date at the time this policy was approved but please check for current contact details at Whistleblowing: list of prescribed people and bodies - GOV.UK (www.gov.uk) and Find your MP - MPs and Lords - UK Parliament

The Senior Leader should stress to the employee that if they choose to take a concern outside the Trust/School, it is the employee's responsibility to ensure that confidential information is not disclosed, i.e. confidential information, in whatever format, is not handed over to a third party. An employee is entitled at this stage to seek confidential advice on the matter from their trade union representative.

Wider disclosure[1]

PIDA contemplates that there may be a public interest in workers making qualifying disclosures beyond employers or prescribed persons. It does not name or limit the identity of those to whom wider disclosure can be made, but their identity will be key to the question of whether disclosure was reasonable. Prior to disclosure to a third party the worker must:

- reasonably believe, at the time of disclosure, that the information and allegations are substantially true, and
- does not make the disclosure for personal gain; and
- have previously disclosed substantially the same information to their employer or to a prescribed person; or
- reasonably believe, at the time of disclosure, that they will be subjected to a detriment by their

employer if they make disclosure to the employer or a prescribed person; or

- reasonably believe (where there is no prescribed person) that material evidence will be concealed or destroyed if disclosure is made to the employer.

[1]**In all circumstances, it must be *reasonable* for the employee to make the disclosure. Employees who wish to take the matter outside the Trust/School should check with their Trade Union representative that they are not in breach of the Trust/School's Staff Code of Conduct.**

** - 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.*