



# Inspire Education Trust

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## Whistleblowing Policy

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**Policy Date:** May 2022

**Review Date:** May 2024

## Document History

Version	Status	Date	Author	Summary Changes
V1	New Draft	May 2021	Jane Durkin	
V2	Review and update	April 2022	Lois Whitehouse	<p>Checked compliance with latest legal guidance and Model Policy from the Key. Several updates made throughout:</p> <ul style="list-style-type: none"> <li>3.2 – included in policy</li> <li>4.1.9 – removal of <i>"breach of our internal policies and procedures including our Code of Conduct"</i></li> <li>4.1.10 removal of conduct likely to damage our reputation <i>"or financial wellbeing"</i>;</li> <li>5 – amended for succinct process</li> <li>7.2 – inclusion of external advice and support network</li> <li>8 – added to the policy</li> <li>9.2 - Changed to Board of Directors from Chair of LGC</li> <li>10 – removal of this point</li> <li>11.3 – removal of this point</li> <li>13 – updated contact for Rob Darling. Added CEO contact info.</li> </ul>

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## 1 Introduction

- 1.1 The Board is committed to the highest possible standards of honesty and integrity, and we expect all staff to maintain these standards in accordance with our Code of Conduct. However, all organisations face the risk of things going wrong from time to time, or of unknowingly harbouring illegal or unethical conduct. A culture of openness and accountability is essential in order to prevent such situations occurring or to address them when they do occur.
- 1.2 It has been formally adopted by the Trust Board.

## 2 Scope and Purpose

- 2.1 The aims of this policy are:
  - 2.1.1 To encourage staff to report suspected wrongdoing as soon as possible, in the knowledge that their concerns will be taken seriously and investigated as appropriate, and that their confidentiality will be respected.
  - 2.1.2 To provide staff with guidance on how to raise concerns.
  - 2.1.3 Set clear procedures for how the Trust will respond to such concerns.
  - 2.1.4 Let all staff know the protection available to them if they raise a whistleblowing concern.
  - 2.1.5 To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue).
- 2.2 This policy does not form part of any employee's contract of employment and we may amend it at any time.
- 2.3 This policy applies to all employees or other workers of the Trust i.e. governors, consultants, contractors, casual and agency staff and volunteers (collectively referred to as staff in this policy) in any capacity including self-employed consultants or contractors who provide services on a personal basis and agency workers.

## 3 Legislation

- 3.1 The requirement to have clear whistleblowing procedures in place is set out in the [Academy Trust Handbook](#).

- 3.2 This policy has been written in line with the above document, as well as [government guidance on whistle-blowing](#). We also take into account the [Public Interest Disclosure Act 1998](#).

## 4 What is whistleblowing?

- 4.1 'Whistleblowing is the raising of a concern, either within the workplace or externally, about a danger, risk, malpractice or wrongdoing which affects others. It is referred to in law as 'making a protected disclosure'. It has a specific legal definition under the Public Interest Disclosure Act 1998 ("PIDA") i.e. "a disclosure of information which, in the reasonable belief of the employee, is made in the public interest and tends to show serious misconduct".
- 4.2 The law provides protection for whistleblower who raise legitimate concerns about specified matters or "qualifying disclosures". A qualifying disclosure may relate to:
- 4.2.1 criminal activity (e.g. fraud, corruption or theft);
  - 4.2.2 Miscarriages of justice;
  - 4.2.3 Danger to health and safety (e.g. the use of unsafe equipment)
  - 4.2.4 Damage to the environment (e.g. a chemical spillage);
  - 4.2.5 Failure to comply with any legal or professional obligation or regulatory requirements (e.g. knowingly employing illegal immigrants);
  - 4.2.6 Bribery;
  - 4.2.7 Financial fraud or mismanagement (e.g. false returns to HM Revenue & Customs);
  - 4.2.8 Negligence;
  - 4.2.9 Breach of IET's internal policies and procedures;
  - 4.2.10 Conduct likely to damage IET's reputation;
  - 4.2.11 Unauthorised disclosure of confidential information;
  - 4.2.12 Other unethical behaviour;
  - 4.2.13 The deliberate concealment of any of the above matters.
- 4.3 A whistleblower is a person who raises a genuine concern relating to any of the above. If you have any genuine concerns related to suspected wrongdoing or danger affecting any of our activities (a whistleblowing concern) you should report it under this policy.
- 4.4 This policy should not be used for complaints relating to your own personal circumstances, such as the way you have been treated at work. In those cases, you should use the Grievance Procedure or Anti-harassment and Bullying Policy as appropriate.
- 4.5 If you are uncertain whether something is within the scope of this policy, you should seek advice from a member of the Trust's leadership team.
- 4.6 If your concern is in relation to safeguarding and the welfare of pupils/students at the academy, you should consider whether the matter is better raised under the academy's Safeguarding and Child Protection Policy and in accordance with the arrangements for reporting such concerns, i.e. via the Designated Safeguarding Lead, although the principles set out in the is policy may still apply.

## 5 Raising a whistleblowing concern

- 5.1 We hope that you will be able to raise any concerns with your line manager. You may tell them in person or put the matter in writing if you prefer. They may be able to agree a way of resolving your concern quickly and effectively.
- 5.2 However, where the matter is more serious, or you feel that your line manager has not addressed your concern, or you prefer not to raise it with them for any reason, or they are the subject of the complaint, then you can raise the matter with the Headteacher (Secondary) or Head of Education, Primary.
  - 5.2.1 If the concern is about the Headteacher (Secondary)/Head of Education, Primary, or it is believed they may be involved in the wrongdoing in some way, the staff member should report their concern to the Chief Executive Officer or Chair of the Finance, Audit and Risk Committee
- 5.3 Contact details are set out at the end of this policy.
- 5.4 Concerns should be made in writing wherever possible. They should include names of those committing wrongdoing, dates, places and as much evidence and context as possible. Staff raising a concern should also include details of any personal interest in the matter.

## 6 Confidentiality and Data Protection

- 6.1 We do not encourage staff to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Whistleblowers who are concerned about possible reprisals if their identity is revealed should come forward to one of the other contact points listed in paragraph 4.2 and appropriate measures can then be taken to preserve confidentiality. If you are in any doubt you can seek advice from Protect, the independent whistleblowing charity, who offer a confidential helpline. Their contact details are given at the end of this policy.
- 6.2 Where we receive anonymous complaints, we will investigate the complaints as far as is reasonable taking into account:
  - 6.2.1 the seriousness of the issue raised
  - 6.2.2 the credibility of the concern; and
  - 6.2.3 the likelihood of confirming the allegation from other sources
- 6.3 As part of the application of this policy, the Trust may collect, process and store personal data in accordance with our data protection policy. We will comply with the requirements of **Data Protection Legislation** (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998,

including the Data Protection Act 2018) in the collecting, holding and sharing of information in relation to our workforce. Records will be kept in accordance with our Workforce Privacy Notice, our [Retention and Destruction Policy and in line with the requirements of Data Protection Legislation.

## 7 External Disclosures

- 7.1 The Trust encourages staff to raise their concerns internally, in line with section 5 of this policy, but recognises that staff may feel the need to report concerns to an external body. A list of prescribed bodies to whom staff can raise concerns with is included [here](#).
- 7.2 The Protect (formerly Public Concern at Work) advice line can also help staff when deciding whether to raise the concern to an external party. Links can be found below.
  - 7.2.1 [Further guidance](#) on the difference between a whistle-blowing concern and a grievance that staff may find useful if unsure.
  - 7.2.2 A free and confidential [advice line](#)

## 8 Malicious or Vexatious Allegations

- 8.1 Staff are encouraged to raise concerns when they believe there to potentially be an issue. If an allegation is made in good faith, but the investigation finds no wrongdoing, there will be no disciplinary action against the member of staff who raised the concern.
- 8.2 If, however, an allegation is shown to be deliberately invented or malicious, the trust will consider whether any disciplinary action is appropriate against the person making the allegation

## 9 Investigation and Outcome

- 9.1 Once you have raised a concern, we will carry out an initial assessment to determine the scope of any investigation. We will inform you of the outcome of our assessment. You may be required to attend additional meetings in order to provide further information.
- 9.2 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. We may in some circumstances, appoint an external person or body to investigate the concern. 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. This will be sent to a member of the Executive Leadership Team for action if related to activities within an academy or Board of Directors if elsewhere.
- 9.3 We will aim to keep you informed of the progress of the investigation, its likely timescale and outcome. However, sometimes the need for confidentiality may prevent us giving you specific

details of the investigation or any disciplinary action taken as a result. You should treat any information about the investigation as confidential.

- 9.4 If we conclude that a whistleblower has made false allegations maliciously, the whistle-blower may be subject to disciplinary action.

## 10 Protection and support for whistleblowers

- 10.1 It is understandable that whistleblowers are sometimes worried about possible repercussions. We aim to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 10.2 Staff must not suffer any detrimental treatment as a result of raising a genuine concern. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform one of the contact people in paragraph 4.2 immediately. If the matter is not remedied you should raise it formally using our Grievance Procedure.
- 10.3 A confidential support and counselling hotline is available to whistle-blowers who raise concerns under this policy. Their contact details are set out at the end of this policy.

## 11 Review of policy

This policy is reviewed every two years by Trust We will monitor the application and outcomes of this policy to ensure it is working effectively.

## 12 Contacts

CEO	Lois Whitehouse 024 7601 1479 <a href="mailto:lwhitehouse@ietrust.org">lwhitehouse@ietrust.org</a>
Headteacher Secondary	Vicki Shelley 024 7622 3542 <a href="mailto:v.shelley@bluecoatschool.com">v.shelley@bluecoatschool.com</a>
Head of Education, Primary	Rob Darling 024 7601 1479 <a href="mailto:rdarling@ietrust.org">rdarling@ietrust.org</a>
Chair of the Audit and Risk Committee	Chair of Trust's Audit and Risk Committee c/o Hearsall Academy Kingston road Coventry

	CV5 6LR 024 7667 4625
Confidential counselling	Sodexo Care First 0808 168 2143 <a href="http://www.inspireeducationbenefits.co.uk">www.inspireeducationbenefits.co.uk</a>
Protect (Independent whistleblowing charity)	Helpline: (020) 3117 2520 E-mail: <a href="mailto:whistle@protect-advice.org.uk">whistle@protect-advice.org.uk</a> Website: <a href="http://www.protect-advice.org.uk">www.protect-advice.org.uk</a>
The NSPCC whistleblowing helpline	Helpline: 0800 028 0285 E-mail: <a href="mailto:help@nspcc.org.uk">help@nspcc.org.uk</a>

### 13 Links with Other Policies

This policy links with our policies on:

- Grievance policy
- Child Protection & Safeguarding Policy
- Code of Conduct

Reviewed by: Lois Whitehouse May 2022

Next Review Date: May 2024

Approved by Directors: 20.06.22

Signed:

  
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Lois Whitehouse  
Headteacher

  
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David Bermingham  
Chair of Directors