



Whistle-blowing policy

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Contents

1. Introduction and Aims	3
2. Legislation.....	3
3. Definition of whistle-blowing and scope of this policy	3
4. Procedure for colleagues to raise a whistle-blowing concern.....	4
5. Trust procedure for responding to a whistle-blowing concern.....	5
6. Malicious or vexatious allegations	6
7. Confidentiality	6
8. Escalating concerns beyond the trust	6
9. Approval.....	6

1. Introduction and Aims

We are committed to the highest possible standards of openness, probity and accountability. In line with that commitment, we expect colleagues who have serious concerns about any aspects of our work to come forward and voice those concerns.

Colleagues are often the first to realise that there may be something seriously wrong within an organisation. However, they may not express their concerns because they feel that speaking up would be disloyal to others or to the Trust. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report a suspicion of malpractice. This policy encourages employees to raise such concerns using the internal mechanisms set out below.

This policy makes it clear that you can raise legitimate concerns without fear of victimisation, subsequent discrimination or disadvantage. It is intended to encourage and enable all colleagues to raise serious concerns within the Trust rather than overlooking a problem or 'blowing the whistle' outside.

This policy should be used to raise serious concerns **which are in the public interest and where an individual genuinely feels there is evidence of malpractice, impropriety or wrongdoing.**

This policy aims to:

- Encourage individuals affected to report suspected wrongdoing as soon as possible in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected
- Let all colleagues in the trust know how to raise concerns about potential wrongdoing in or by the trust
- Set clear procedures for how the trust will respond to such concerns
- Let all colleagues know the protection available to them if they raise a whistle-blowing concern
- Assure colleagues that they will not be victimised for raising a legitimate concern through the steps set out in the policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue)

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

The policy applies to all employees or other workers who provide services to the trust in any capacity, including self-employed consultants or contractors who provide services on a personal basis and agency workers.

2. 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](#). We also take into account the [Public Interest Disclosure Act 1998](#).

This policy complies with our funding agreement and articles of association.

3. Definition of whistle-blowing and scope of this policy

This policy is designed to be used **only by colleagues or by those who work with us on a voluntary, contractual or agency basis (collectively referred to as 'colleagues' or 'staff' in this document)**.

We seek always to establish a working environment where concerns can be aired openly without the need necessarily to resort to formal process.

Not all concerns about the trust, or individual schools in the trust, count as whistle-blowing.

As in other areas, many concerns can be dealt with if they are raised informally with your line manager, or with an appropriate leader. Issues that affect you as an individual are likely best dealt with as a grievance if informal discussions do not resolve the matter.

Whistle-blowing covers concerns made that report wrongdoing that is "in the public interest".

Examples of whistle-blowing include (but are not limited to):

- Criminal offences, such as fraud or corruption
- Pupils' or colleagues health and safety being put in danger
- Failure to comply with a legal obligation or statutory requirement
- Breaches of financial management procedures
- Attempts to cover up the above, or any other wrongdoing in the public interest
- Damage to the environment
- Breach of the Trusts policy and Code of Conduct

A whistle-blower is a person who raises a genuine concern relating to the above. Anyone not covered by this policy should refer to the Trust Complaints Policy for details of how to raise concerns.

Not all concerns about the trust, or individual schools in the trust, count as whistle-blowing. For example, personal staff grievances such as bullying or harassment do not usually count as whistle-blowing. If something affects a staff member as an individual, or relates to an individual employment contract, this is likely a grievance.

When colleagues have a concern they should consider whether it would be better to follow our staff grievance or complaints procedures.

Protect (formerly Public Concern at Work) has:

- [Further guidance](#) on the difference between a whistle-blowing concern and a grievance, which colleagues may find useful if unsure
- A free and confidential [advice line](#)

4. Procedure for colleagues to raise a whistle-blowing concern

4.1 When to raise a concern

Colleagues should consider the examples in section 3 when deciding whether their concern is of a whistle-blowing nature. Consider whether the incident(s) was illegal, breached statutory or trust procedures, put people in danger or was an attempt to cover any such activity up.

4.2 Who to report to

Wherever you work in our trust, you can report whistle-blowing concerns to one of the following people:

- the Chief Executive Officer, the Director for Education
- the Chair of Trustees.

If you need to obtain the contact details for any of these people, you can email admin@risemat.co.uk and ask for them.

Any other member of staff receiving a whistleblowing concern must refer it immediately to one of the above.

4.3 How to raise the concern

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. Colleagues raising a concern should also include details of any personal interest in the matter. Appendix A is provided for this purpose.

4.4 Anonymous concerns

Concerns raised anonymously will only be considered under this policy if the person reporting believes the seriousness merits it.

5. Trust procedure for responding to a whistle-blowing concern

5.1 Investigating the concern

If you have raised a whistle-blowing concern, the person receiving the concern– referred to from here as the 'recipient' – will:

- Meet with the person raising the concern within a reasonable time period. The person raising the concern may be joined by a trade union or professional association representative.
- Get as much detail as possible about the concern at this meeting, and record the information. If it becomes apparent the concern is not of a whistle-blowing nature, the recipient should handle the concern in line with the appropriate policy/procedure
- Reiterate, at this meeting, that they are protected from any unfair treatment or risk of dismissal as a result of raising the concern. If the concern is found to be malicious or vexatious, disciplinary action may be taken (see section 6 of this policy)
- Establish whether there is sufficient cause for concern to warrant further investigation. If there is:
 - The recipient should then arrange a further investigation into the matter, which may be led by an 'investigator' of sufficient seniority. In some cases, they may need to bring in an external, independent body to investigate. In others, they may need to report the matter to the police
 - The person who raised the concern should be informed of how the matter is being investigated and an estimated timeframe for when they will be informed of the next steps

5.2 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, although certain details may need to be restricted due to confidentiality.

Beyond the immediate actions, the CEO, trustees and other colleagues, if necessary, will review the relevant policies and procedures to prevent future occurrences of the same wrongdoing.

While we cannot always guarantee the outcome sought, we will try to deal with concerns fairly and in an appropriate way.

6. Malicious or vexatious allegations

Colleagues 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 colleagues who raised the concern.

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.

7. Confidentiality

The identity of the person raising a concern will be kept confidential unless the 'identifier' otherwise consents or unless there are grounds to believe that the 'identifier' has acted maliciously. In the absence of such consent or grounds, the investigator will not reveal the identity of the 'identifier' except:

- Where the investigator is under a legal obligation to do so;
- Where the information is already in the public domain; or
- On a legally privileged basis to a professionally qualified lawyer for the purpose of obtaining legal advice.

8. Escalating concerns beyond the trust

The trust encourages colleagues to raise their concerns internally, in line with section 4 of this policy, but recognises that colleagues may feel the need to report concerns to an external body. A list of prescribed bodies to whom colleagues can raise concerns with is included [here](#).

The Protect advice line, linked to in section 3 of this policy, can also help colleagues when deciding whether to raise the concern to an external party.

Whistleblowing to the media is not appropriate or permitted in any circumstances.

9. Approval

These procedures have been agreed by the board of trustees, who will approve them whenever reviewed.



Confidential Reporting Form (Whistleblowing)

Please complete and return this form marked 'Confidential' to admin@risemat.co.uk

Does the person want this matter to be dealt with in confidence? (tick one box)		Yes	No
Name of person raising Whistleblowing concern			
Role or Post			
School Name (where appropriate)			
Contact Address			
Contact number			
Date of Disclosure			
Background and history of the concern (giving relevant dates)			
Have any other persons and/or organisation's been contacted? (tick one box)		Yes	No
If 'yes' please give details:			
Does the individual have any personal interest in the matter? (tick one box)		Yes	No
For completion by the recipient			
Date concern received			
Date initial meeting undertaken			
Further Action (tick appropriate box below)			
	None Required		Disciplinary process
	Investigation by relevant senior staff		Refer to the Police
	Internal audit required		External audit required
Other action, please state:			

Individual person raising the concern

Please sign below and enter any comments, if any in this box.

Signed:.....**Date:**.....

To be signed by the recipient

Please sign below and enter a summary of the outcome.

Signed:.....**Date:**.....