The 3-18 Education Trust

Whistleblowing Policy

'Every individual is in a great school.'

Approved: **Summer Term 2025**
Review: **Summer Term 2027**

www.3-18education.co.uk

Our Mission

To celebrate the diverse nature, culture and identity of our individual schools, whilst collaborating and enjoying the benefit of the team.

Our Values

Compassionate

To show care and understanding towards others.

Accomplished

To provide high quality education and training for all.

Resilient

To be solution focused and able to intelligently manage challenges.

The 3-18 Education Trust
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Company Number: 08064698

Policy Monitoring, Consultation and Review

Monitoring
The Chief Executive Officer will monitor the outcomes and impact of this policy on a 2 yearly basis.

Consultation
This Policy has been consulted on with the recognised professional associations/trade unions set out below:

- Association of School and College Leaders
- GMB
- National Association of Headteachers
- National Association of Schoolmasters Union of Women Teachers
- National Education Union
- Unison

Review

Member of Staff Responsible	Chief Executive Officer
Relevant Guidance/Advice/Legal Reference	Public Interest Disclosure Act 1998 Academy Trust Handbook. Government guidance on whistleblowing for employees. DfBI&S Whistleblowing
Policy Adopted By	Board of Trustees
Consultation	Professional Associations / Trade Unions
Date of Policy	Summer Term 2025
Review Period	2 years
Date of Next Review	Summer Term 2027

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1. Introduction

1.1. The 3-18 Education Trust (Trust) is committed to the highest possible standards of honesty and integrity and expects all staff to maintain these standards in accordance with the Trust's Code of Conduct and any professional body's standards of conduct e.g. Teacher's Standards. All employees/workers will be made aware of the standards which apply during induction and should ensure they always follow them.

1.2. 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 to prevent such situations occurring or to address them when they do occur.

1.3. The Trust encourages employees/workers and others who have serious concerns about wrongdoing to speak up. This may need to be on a confidential basis and the Trust reassures employee/workers that if someone does 'speak up' they can do so without fear of reprisals. Such actions are termed 'blowing the whistle' and this phrase should be viewed as a positive action of speaking up. It is understandable that employees/workers may not express concerns because they may feel that speaking up would be disloyal to colleagues or they fear harassment/victimisation. The Trust would encourage all employees to pursue their concerns and to report them positively and appropriately. The Trust commits to treat all disclosures consistently and fairly. The Trust follows the Government's Whistleblowing Code of Conduct.

1.4. 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 Trust employees/workers 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 employees/workers know the protection available to them if they raise a whistle-blowing concern.
- Assure employees/workers that they will not be victimised for raising a legitimate concern through the steps set out in this policy, even if they turn out to be mistaken (though vexatious or malicious concerns may be considered a disciplinary issue).

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

1.6. The Trust is committed to training employee/workers at all levels in relation to whistleblowing law and this policy.

1.7. If the whistleblower is subject to HR procedures such as disciplinary, grievance or redundancy processes, they will not be halted because of the whistleblowing.

1.8. Disclosures and resulting actions made under this policy are monitored by the Board of Trustees. The Trust's Executive Team will present an annual report to the Trust Board.

2. What is Whistleblowing?

2.1. Whistleblowing is the term used when an employee/worker passes on information concerning suspected wrongdoing. In this policy that is called "making a disclosure" or "whistleblowing". The suspected wrongdoing will typically (although not necessarily) be something an employee/worker has witnessed at work.

2.2. To be covered by whistleblowing law, an employee/worker who makes a disclosure must reasonably believe two things. The first is that they are acting in the public interest. This means in particular that personal grievances and complaints are not usually covered by whistleblowing law. The second thing that an employee/worker must reasonably believe is that the disclosure tends to show past, present or likely future wrongdoing falling into one or more of the following categories:

- Criminal offences (this may include, for example, types of financial impropriety such as fraud).
- Failure to comply with an obligation set out in law (this may include, for example, breaches of financial management procedures).
- Miscarriages of justice.
- Endangering of someone's health and safety including pupils.
- Damage to the environment.
- Covering up wrongdoing in the above categories.

2.3. When an employee/worker has a concern, they should consider whether it would be better to follow the Trust's staff grievance or complaints procedures. They may also contact Protect (independent whistleblowing charity) or Advisory, Conciliation, and Arbitration Service (ACAS) for further guidance on the difference between a whistleblowing concern and a grievance, which may be useful if unsure. They both offer a free and confidential advice line.

2.4. Protect contact details are:
Tel: 020 3117 2520.
E-mail: whistle@protect-advice.org.uk.
Website: www.protect-advice.org.uk

2.5. ACAS contact details are:
Tel: 0300 123 1100
Website: https://www.acas.org.uk/contact

2.6. If a concern is in relation to the safeguarding and the welfare of pupils at the Trust an employee/worker should consider whether the matter is better raised under the Trust's Safeguarding and Child Protection Policy and in accordance with the arrangements for reporting such concerns, i.e. through the Designated Safeguarding Lead, although the principles set out in this policy may still apply. Concerns in educational settings may cover, for example, that a person or persons are:

- Deliberately ignoring the best interests of the child or young person.
- Teasing, harassing or touching a child or young person inappropriately.
- Threatening a child, young person or a parent/carer, or distressing them in some way.
- Neglecting a child by not giving them the support they need, including medical attention or care.
- Hitting or restraining a child inappropriately.
- Using a child or young person's money or possessions in an inappropriate way.

2.7. Whistleblowing law is located in the Employment Rights Act 1996 (as amended by the Public Interest Disclosure Act 1998). It provides the right for an employee/worker to take a case to an employment tribunal if they have been victimised at work or they have lost their job because they have 'blown the whistle'.

3. Raising a Whistleblowing Concern

3.1. When to raise a concern-

When an employee/worker considers their concern is of a whistle-blowing nature i.e. an incident(s) was illegal, breached statutory or Trust procedures, put people in danger or was an attempt to cover any such activity up, they should raise this as soon as possible.

3.2. Who to report the concern to-

Concerns should normally be raised in writing to the employee's/worker's Headteacher, or for the Central Team, the Chief Executive Officer. This will depend, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the wrongdoing.

3.3. If the allegation involves a member of the Senior Leadership Team of a school and/or the Headteacher the employee/worker may wish to report this directly to the Chief Executive Officer or a member of the Trust's Executive Team.

3.4. If the allegation involves a member of the Trust's Executive Team including the Chief Executive Officer, an employee/worker may wish to report concerns to the Chair of the Board of Trustees.

3.5. Employees/workers can also raise concerns directly with the Chairs of the Local Governing Bodies or Chair of the Board of Trustees, whoever they feel most comfortable with.

3.6. The Trust hopes employees/workers will find the procedure a satisfactory way of raising concerns internally. However, an employee/worker has the right to take the matter outside the Trust; the following are possible contact points:

- One of the bodies listed on the 'List of prescribed persons and bodies'. https://www.gov.uk/government/publications/blowing-the-whistle-list-of-prescribed-people-and-bodies--2
- Relevant bodies who regulate organisations e.g. Health & Safety Executive.
- Shropshire Council Whistleblowing Hotline on 01743 252627
- Protect (independent whistleblowing charity) 020 3117 2520. E-mail: whistle@protect-advice.org.uk. Website: www.protect-advice.org.uk
- The NSPCC whistleblowing helpline 0800 028 0285. E-mail: help@nspcc.org.uk

3.7. Alternatively, employees/workers can invite their trade union or professional association to raise the matter on their behalf.

3.8. If the allegation involves the Board of Trustees including the Chair of Trustees an employee may wish to report concerns to Protect for further advice. Protect (independent whistleblowing charity) whistle@protect-advice.org.uk. Telephone: 020 3117 252.

How to raise the concern

3.9. The earlier concerns are raised the easier it will be for the Trust to act. It is preferred concerns are raised in writing and should set out:

- The background and history to the concern.
- Dates and places where possible.
- The reasons for the concern.
- Details of any personal interest in the matter.

3.10. To ensure the confidentiality, concerns can be sent in an email marked confidential and private directly to the Headteacher, Chief Executive Officer or chosen person. If preferred, the concerns can be provided in writing in a sealed envelope addressed to the Headteacher, Chief Executive Officer or chosen person and clearly marked "Strictly Private and Confidential - To be opened by the addressee only".

3.11. It is a serious disciplinary offence for any person to seek to prevent a communication of concern reaching an appropriate contact or to impede any investigation which he/she or anyone on her/his behalf may make.

3.12. Although employees/workers are not expected to prove the truth or provide evidence of an allegation, employees/workers will need to demonstrate to those appointed to investigate the matter, that there are sufficient grounds to the concern.

3.13. There is no time limit to when a concern can be raised. However, employees/workers should be aware that concerns raised about historic wrongdoing may

be more difficult to investigate. The sooner a matter is raised the more likely an acceptable response will be possible.

4. Trust Response to a Whistleblowing Concern

4.1. The action taken will depend on the nature of the concern. The matters raised may be:

- investigated internally by the Trust, but independently of those directly involved;
- referred to the Police;
- referred to an external Auditor; or
- form the subject of an independent inquiry.

4.2. To protect individuals and the Trust, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. These will be made confidentially, and every attempt made to protect the employee. Concerns or allegations which fall within the scope of specific procedures (for example, child protection issues) will normally be referred for consideration under those procedures. Some concerns may be resolved by agreed action without the need for investigation.

4.3. Normally, within 10 working days of a concern being received, the Trust will respond in writing to the individual raising a concern:

- Acknowledging that the concern has been received.
- Indicating how the Trust propose to deal with the matter.
- Giving an estimate of how long it will take to provide a final response.
- Confirming any initial enquiries already made.
- Confirming whether further investigations will take place and, if not, why not.

4.4. The amount of contact between those considering the issues and an employee/worker raising a concern 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 the employee/worker.

4.5. When any meeting is arranged, an employee/worker will have the right, if they so wish, to be accompanied by a trade union or professional association representative or a friend who is not involved in the area of work to which the concern relates. The meeting may be held at a mutually agreeable location. A summary of the meeting will be produced for record keeping purposes and a copy will be provided to the whistleblower.

4.6. The Trust accepts that employees/workers need to be assured that the concern has been properly addressed. Therefore, subject to legal constraints, employees/workers will receive information about the outcomes of any investigations and any changes to working practices as far as is reasonably practicable.

5. Taking the Matter Further

5.1. The procedures outlined above are intended to provide employees/workers with ways to raise serious concerns within the Trust. The Trust hopes employees/workers will find the procedures a satisfactory way of dealing with concerns. In the event all internal methods have been exhausted an employee/workers do have the right to take the matter outside the Trust, the following are possible contact points:

- an external auditor;

- a solicitor;
- the Police;
- Protect (independent whistleblowing charity) 020 3117 2520. E-mail: whistle@protect-advice.org.uk. Website: www.protect-advice.org.uk

5.2. Employees should be aware that the disclosure of confidential information would normally constitute a serious disciplinary offence which could result in dismissal or other disciplinary action. Accordingly, if an employee did take the matter outside the Trust, they would need to ensure that either no confidential information is disclosed or that there are wholly exceptional circumstances which the Trust would consider justified in the circumstances.

6. Protection and Support for Whistleblowers

Harassment or victimisation

6.1. The Trust recognises that deciding to report a concern can be difficult, 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/workers when concerns are raised in good faith.

Confidentiality

6.2. The Trust will endeavour to protect employee's/worker's identity when concerns are raised, and an employee/worker does not want their name to be disclosed. It must, however, be appreciated that the investigation process may reveal the source of the information and a statement may be required as part of the evidence. Employees/workers should be aware that in certain circumstance the Trust may be required by law to disclose their identity.

Anonymous allegations

6.3. The Trust encourages employees/workers to put their name to an allegation. Concerns expressed anonymously will be considered at the discretion of the Headteacher, in consultation with the CEO and where appropriate the Trust's HR Department. In exercising this discretion, the factors to be considered include:

- The seriousness of the issues raised.
- The validity of the concern.
- The likelihood of confirming the allegation from other sources.

6.4. Allegations which do not appear to be motivated by personal animosity and which if true, would have serious implications for the Trust, are more likely to be considered, even though made anonymously.

6.5. Any investigation into an anonymous allegation may be limited and feedback will not normally be possible. However, the Trust may consider feedback through a telephone appointment or an anonymous email address.

6.6. Employees/workers should also be aware that making a disclosure anonymously means it can be more difficult for them to qualify for protections as a whistleblower. This is because there would be no documentary evidence linking the employee/worker to the disclosure.

Untrue allegations

6.7. If allegations are made in good faith, but are not confirmed by the investigation, no action will be taken against an employee/worker. In such circumstances employees/workers will

be supported. If, however, an employee/worker makes a malicious or vexatious allegation, disciplinary action may be taken. The matter would be referred to the Trust's HR team before any action is taken.

Support to Employees/Workers

6.8. Throughout and after this difficult process employees/workers will be given full support from senior management. Concerns will be taken seriously, and the Trust will do all it can to help employees/workers. This may include providing support services such as counselling, mentoring, mediation and dispute resolution, to help rebuild trust and relationships in the workplace. If necessary and possible, redeployment opportunities will be considered. Employees/workers may also wish to seek confidential support from their Trade Union/ Professional Association.