



Policy for Whistleblowing

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Statement of intent

All AET policies are written to support our schools and communities. We do this by ensuring they are always in line with our Colleague Values:



Applying these values to everything we do means always acting with integrity, in the interests of others, being honest, open and transparent and putting the safety of our children first.

The Aspire Educational Trust is fully committed to an ethos of openness, accountability and transparency, where employees are encouraged to voice any concerns they have in a professional, responsible way. All individuals are therefore encouraged to raise any concerns they may have, and this policy details the way in which individuals may raise concerns.

Scope

This policy will:

- Give confidence to members of the school community when raising concerns about conduct or practice that is potentially illegal, corrupt, improper, unsafe or unethical, or which amounts to malpractice or is inconsistent with school standards and policies.
- Provide members of the school community with avenues to raise concerns.
- Ensure that members of the school community receive a response to the concerns they have raised and feedback on any action taken.
- Offer assurance that members of staff are protected from reprisals or victimisation for whistleblowing action undertaken in good faith and within the meaning of the PIDA.

This policy will not be confused with the procedure on dealing with harassment at work or the school's Grievance (Staff including Dignity at Work).

Under this policy, any of the following can raise a concern:

- Employees of the Aspire Educational Trust
- Employees of contractors working for the school, for example, agency staff, builders and drivers
- Employees of suppliers
- Voluntary workers working with the school
- A trainee, such as a student teacher
- Pupils
- The wider community
- Governors

Roles and Responsibilities

The **Trust Board** is responsible for approving this policy, monitoring its effectiveness and ensuring it is published on the trust's website.

The **CEO and Executive Team** are responsible for ensuring that staff and others do not suffer a detriment in the application of this policy and procedure.

The CEO will also ensure that:

- Any individual who makes a disclosure of wrong doing or malpractice in good faith is protected against victimisation
- Anyone who victimises a whistleblower will be subject to the trust's Disciplinary Policy and Procedure
- Any matters raised will be treated seriously, swiftly, consistently, fairly and professionally
- Any matter raised will be promptly and thoroughly investigated by an appropriate senior person
- The whistleblower's identity will, so far as is possible, remain confidential
- Any employee or worker who knowingly makes false allegations against a colleague will be subject to the trust's Disciplinary Policy and Procedure
- Any employee who, in good faith, makes allegations that turn out to be unfounded will not be penalised for being genuinely mistaken.

The **Human Resources Department** is responsible for ensuring that all employees and officers of the trust are aware of this policy.

The team will also ensure that:

- the policy is implemented fairly and consistently
- staff know what protection is available to them if they report areas of malpractice or wrongdoing, and who to approach to report a concern
- whistleblowers are treated with dignity and respect and offered access to appropriate support
- whistleblowers are encouraged to access additional support via their trade unions and the employee assistance programme

Leaders and managers must ensure they deal with whistleblowing issues swiftly, respectfully, thoroughly and professionally, whilst upholding confidentiality as far as possible.

All **employees and officers of the trust** have a responsibility for raising any concerns they have, thus providing the trust with the opportunity to resolve any issues that arise. It is expected that wherever possible employees and officers of the trust raise concerns prior to malpractice or wrongdoing occurring. However, where this isn't possible, it is expected that employees and officers of the trust raise concerns at the earliest opportunity in line with this policy and procedure.

Equality, Diversity and Inclusion

The Aspire Education Trust is committed to:

- Promoting equality and diversity in its policies, procedures and guidelines
- Delivering high quality teaching and services that meet the diverse needs of its pupils population and its employees, ensuring that no individual or group is disadvantaged

This policy applies to all staff, workers, visitors and volunteers, regardless of any protected characteristics.

Principles

Everyone should ensure they have an awareness and understanding of the importance of preventing and eliminating wrong doing at work. Employees and volunteers of the trust should be mindful of the potential for illegal or unethical conduct and report anything of that nature. Any matter raised under the procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation will be shared with the worker who raised the issue.

The law provides protection for workers who raise legitimate concerns about specified matters and these are called qualifying disclosures. A qualifying disclosure is one made in the public interest by a worker who has a reasonable belief that:

- a criminal offence;
- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation, or;
- concealment of any of the above;
- Disclosure of Sexual Harassment

is being, has been, or is likely to be, committed.

In education, it is also crucial that safeguarding issues are viewed as a qualifying disclosure. It is not necessary for the worker to have proof that such an act is being, has been, or is likely to be, committed – a reasonable belief is sufficient. The worker has no responsibility for investigating the matter, as it is the organisation's responsibility to ensure that an investigation takes place.

No worker will be victimised for whistleblowing. This means that the continued employment and opportunities for future promotion or learning and development of the worker will not be prejudiced because they have raised a legitimate concern.

It is important that we protect whistleblowers and that we also ensure this policy is not misused. The following are examples of actions that would be considered disciplinary offences:

- Victimisation of a worker for whistleblowing.
- Maliciously making a false allegation
- An instruction to cover up a potential wrongdoing. If told not to raise or pursue a concern, even by a person in authority such as a manager, workers must not agree to remain silent and should escalate the issue to either a more senior manager or the Human Resources Department.

Safeguarding

All workers must act on any concerns or information that gives them concern about the safety and wellbeing of a child or children arising from circumstances or events in or outside of school.

Safeguarding concerns may relate to the conduct or behaviour of a worker towards an individual child or children; information that suggests a worker is unsuitable to work with children, or belief that the senior leadership team, the Trust Board, or a Local Governing Body (LGB) has failed to take appropriate action in response to a safeguarding concern

raised.

The trust's Low-Level Concerns and Child Protection policies detail the ways in which people can raise safeguarding concerns in our trust. All concerns will be treated with the strictest confidence by all concerned. The trust will protect the identity of whistleblowers as much as possible; however, it may not always be possible to do so. All staff involved in any related investigations must maintain confidentiality during and after its conclusion.

Whistleblowing Routes

In the first instance, unless the individual reasonably believes their line manager to be involved in the issue/concern, or if for any other reason the individual does not wish to approach their line manager, any concerns should be raised with the Human Resources Department or a member of the trust or school Senior Leadership Team.

The line manager will undertake a preliminary investigation and they should notify their Principal. If the Principal is potentially involved in the issue/concern, the manager should contact the HR Manager or a member of the Executive Team.

A more thorough investigation may then be undertaken, as appropriate. This will include an interview and statement from the individual who raised the issue(s), potentially other witness statements alongside the collation of any relevant evidence.

The manager investigating the issue will report the findings of their investigation to either their Principal, the HR Manager, or a member of the Executive Team. Serious cases may result in the issue being escalated to the Chair of the Board and any appropriate government department or regulatory agency. If disciplinary action is required, the manager investigating the issue will investigate the matter with assistance from the Human Resources Department and the findings will be shared with the CEO (if there are allegations against the CEO the Human Resources Department will work directly with the Trust Board).

On conclusion of an investigation, the individual will be advised of the outcome of the investigation (including the actions that the Trust Board has either taken or intends to take). If no further action is to be taken, the rationale for this decision will be shared with the individual.

Appeal process

If the individual reasonably believes that appropriate action has not been taken, they should report the matter to the proper authority. The legislation sets out bodies to which qualifying disclosures may be made, including:

- HM Revenue and Customs
- Financial Conduct Authority
- Competition and Markets Authority
- Health and Safety Executive
- Environment Agency
- Independent Office for Police Conduct
- Serious Fraud Office

Whistleblowers can also make a disclosure to Ofsted by telephone (0300 123 3155)

email (whistleblowing@ofsted.gov.uk)

or in writing to:

WBHL
Ofsted
Piccadilly Gate
Store Street
Manchester
M1 2WD.

The Department for Education is also a prescribed body for whistleblowing in education.

Further information can be sought from the Citizens advice bureau, the whistleblowing charity, NSPCC or from your Trade union.

Monitoring and Review

The governing board will review this policy regularly, ensuring that all procedures are up-to-date.

Any changes made to this policy will be communicated to all members of staff.

Whistleblowing Flowchart

