



# Whistleblowing Policy & Procedure

WORKING TOGETHER  
FOR CHILDREN

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<b>Signed Chief Executive Officer</b>		Andy Brown OBE	
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<b>Signed Headteacher</b>			
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## 1. Policy

- 1.1 Ad Astra Academy Trust is committed to running the organisation with honesty and integrity, and we expect all staff to maintain high standards. However, all schools, or the wider Trust, 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 and to address them when they do occur.
- 1.2 The aims of this policy are:
- 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.
  - To provide staff with guidance as to how to raise those concerns.
  - To reassure staff that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- 1.3 This policy covers all employees, officers, consultants, contractors, casual workers and agency workers.
- 1.4 This policy does not form part of any employee's contract of employment.

## 2. Raising a Concern

- 2.1 In most circumstances a member of staff should raise concerns directly with their Headteacher, or the Chief Executive Officer in respect of Headteachers and central team members.
- 2.2 In the case of an issue where an individual does not feel comfortable raising concerns to a Headteacher, the individual should approach Ad Astra Academy Trust by contacting any of the following nominated officers or Trustee:

<b>Ad Astra Key Contacts</b>	<b>Contact</b>
Sue Lister, Chief Operating Officer (Whistleblowing Officer)	(01429) 874552 Sue.lister@adastraacademytrust.com
Andy Brown, CEO	(01429) 874552 andy.brown@adastraacademytrust.com
Martyn Ingram, HR Manager	07458 139128 martyn.ingram@adastraacademytrust.com
Louise Bate HR Business Partner	(01429) 874552 louise.bate@adastraacademytrust.com
<b>Trustee Contact: Chair of the Trust</b>	
Richenda Broad	Aatrichenda.broad@adastraacademytrust.com

### **3. Introduction**

3.1 Ad Astra Academy Trust is committed to ensuring that all its activities are lawful and that the highest possible standards are observed. Trustees are committed to upholding the 'Seven Principles of Public Life' (the so-called 'Nolan Principles') and ensuring they are embedded across Trust operations. They are:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

3.2 The 2024 Academy Trust Handbook states (paragraphs 2.40 – 2.44):

- The Academy Trust must have procedures for whistleblowing, to protect employees who report individuals they believe are doing something wrong or illegal.
- The Trustees must agree the whistleblowing procedure and publish it on the Trust's website.
- The Trust should appoint at least one trustee and one employee who can be contacted to report concerns.
- The Trust must ensure all employees are aware of the whistleblowing process, and how concerns will be managed.
- Employees should know what protection is available to them if they report someone, what areas of malpractice or wrongdoing are covered in the Trust's whistleblowing procedure, and who they can approach to report a concern.
- The Trust must ensure all concerns raised with them by whistleblowers are responded to properly and fairly.

3.3 Employees/workers are often the first to realise when something is wrong within an Academy Trust but may not always voice their concerns. This might be because they fear reprisals or harassment or because they think speaking up is disloyal to colleagues.

3.4 This procedure provides a way in which concerns about malpractice or wrongdoing may be raised and investigated when other procedures are not sufficient or are inappropriate. It is intended to encourage employees or workers to raise serious concerns and to protect them from any form of reprisal.

## 4. Definitions and Legal Context

4.1 The Public Interest Disclosure Act 1998 protects workers who 'Blow the Whistle' about wrongdoing. It makes provision about the kind of disclosures which may be protected; the circumstances in which the disclosures are protected; and the persons who may be protected. The provisions introduced by the Act protect most workers from being subject to detriment from their employer. Detriment may take a number of forms, such as denial of promotion, facilities or training opportunities which the employer would otherwise have offered. Employees may make a claim for unfair dismissal if they are dismissed for making a protected disclosure.

4.2 In law a person is generally classed as a worker if:

- They have a contract or other arrangement to do work or services personally for a reward (a contract can be written or unwritten).  
**Employees fall under this definition.**
- Their reward is for money or a benefit in kind, for example the promise of a contract or future work.
- They only have a limited right to send someone else to do the work (subcontract).
- Their employer has to have work for them to do as long as the contract or arrangement lasts.
- They are not doing the work as part of their own limited company in an arrangement where the 'employer' is actually a customer or client.

For the avoidance of doubt, this includes:

- Permanent, fixed term and temporary employees. There is no qualifying period of employment required before an employee or worker can make a disclosure.
- Agency personnel and staff seconded to a third party. Any concerns relating to the third party, if relevant to the individual's secondment, can also be raised under this procedure.
- Suppliers and those providing services under a contract with the Trust.
- Contractors working for the Trust may also use the provisions of these procedures to make the Trust aware of any concerns that the contractor's staff may have with regard to any contractual or other arrangement with the Trust.

**For the purpose of this policy, the word 'worker' will be used to incorporate all those that satisfy the above definitions.**

## **5. Purpose**

5.1 The purpose of the whistleblowing policy is to enable employees or workers to confidentially voice serious concerns over malpractice and wrongdoing within the Trust.

5.2 The purpose is to:

- Encourage workers to feel confident in raising serious and to question and act upon their concerns.
- Provide ways for workers to raise those concerns and get feedback on any action as a result.
- Ensure that workers get a response to their concerns and that they are aware of how to pursue them if they know what to do if they are not satisfied with any actions.
- Reassure workers that if they raise any concerns in good faith and reasonably believe them to be true, they will be protected from possible reprisals or victimisation.

## **6. Intention of the Whistleblowing Policy**

6.1 The whistleblowing policy is primarily intended to help individuals raise concerns over any wrongdoing within the Trust relating to unlawful conduct, financial malpractice, or dangers to the public or the environment.

6.2 Any serious concerns that the whistleblower may have regarding the suspicion of malpractice or wrongdoing in any aspect of the Trust provision, or the conduct of employees within the Trust, or others acting on behalf of the Trust, can and should be reported under this policy. Workers are expected to report malpractice and wrongdoing. They may be liable to disciplinary action if they knowingly and deliberately do not disclose information relating to malpractice or wrongdoing in any aspect of the Trust's provision or the conduct of employees or others acting on behalf of the Trust.

## **7. Other Trust Policies and Procedures**

7.1 There are several other Trust policies and procedures that provide recourse for workers to raise concerns about their own employment or other operational matters. It is important that the correct policy is used depending on the specific circumstances of the concern. The following are some of the policies (please note, this is not an exhaustive list), that can be used to investigate or act upon concerns relating to staff underperformance or disciplinary issues. Copies of all of these documents can be found on the Every System:

- [Grievance Procedure](#)

The Trusts grievance procedure exists for employees to raise complaints about their employment.

- Disciplinary Procedure  
The Trusts disciplinary procedure is used in cases where action needs to be taken against an employee and could be used if it is determined necessary following an investigation into a whistleblowing disclosure.
- Capability Procedures  
The Trusts capability procedures are used where there are concerns relating to an employee's work performance and could be used if it is determined necessary following an investigation into a whistleblowing disclosure.
- Complaints Procedure  
The complaints procedure can be used by those external to the Trust, such as parents, carers and the wider community (including ex-pupils), to raise concerns about events, operational matters or individual employees.

7.2 The Whistleblowing Policy is intended to cover **major concerns** that fall outside the scope of the above policies and other HR procedures.

7.3 Any serious concerns that an employee or worker may have about any aspect of conduct by staff of the Trust or others acting on behalf of the Trust may be reported under this policy.

## 8. What is Whistleblowing?

8.1 Whistleblowing is the disclosure of information which in the reasonable belief of the worker relates to suspected wrongdoing or dangers at work, which is deemed to be in the public interest. This may include:

- Criminal activity.
- Failure to comply with any legal or professional obligation or regulatory requirements.
- Miscarriages of justice.
- Danger to health and safety.
- Damage to the environment.
- Bribery.
- Facilitating tax evasion.
- Financial fraud or mismanagement.
- Breach of our internal policies and procedures.
- Conduct likely to damage our reputation or financial wellbeing.
- Unauthorised disclosure of confidential information.
- Negligence.
- The deliberate concealment of any of the above matters.

- 8.2 A whistleblower is a person who raises a genuine concern relating to any of the above. If there are any genuine concerns related to suspected wrongdoing or danger affecting any of the Trust's activities (a whistleblowing concern) it should be reported under this policy.
- 8.3 This policy should not be used for complaints relating to own personal circumstances, such as the way an employee has been treated at work. In those cases, the Trust's Grievance Procedure should be used.
- 8.4 If someone is uncertain whether something is within the scope of this policy they should seek advice from the Whistleblowing Officer, or the Trust HR Manager, whose contact details are at the top of this policy (page 2).

## **9. What is Malpractice or Wrongdoing?**

- 9.1 Workers are encouraged, and expected, to report malpractice or wrongdoing and could in certain circumstances be subject to disciplinary action if they know of this and do not report it.
- 9.2 Malpractice or wrongdoing might include any of the following. This is not an exhaustive list but gives examples of the sorts of things which could be raised, under the procedures listed in Section 7, where appropriate, or under this procedure:

- Unlawful acts or omissions, acts which are criminal or in breach of civil law or statutory duty.
- A crime has been committed, is being committed, or is likely to be committed.
- Maladministration.
- A belief that someone is covering up some wrongdoing.
- The deliberate falsification or destruction of information or data.
- Breach of any statutory code of practice.
- Failure to comply with appropriate professional or other established standards.
- Corruption or fraud.
- Actions which are likely to cause physical danger to any person.
- Concerns regarding potential or actual harm to children.
- Failure to take reasonable steps to report and rectify any situation which is likely to cause a significant avoidable cost, or loss of income, to the Trust or would otherwise seriously prejudice the Trust.
- Failure to draw relevant matters to the attention of Trustees, or senior officers, or failure to comment appropriately on matters within an employee's or workers responsibilities which might significantly affect an action or decision of, or on behalf of, the Trust.
- Abuse of power, or the use of the Trusts powers and authority for any unauthorised or ulterior purpose.
- Unfair discrimination in the Trust's employment or services.

- Dangerous procedures risking health and safety.
- Action against the Trust's Policies.
- Action that is not in accordance with established standards of practice.
- Action that amounts to improper conduct by an employee/worker.
- The deliberate concealment of information in relation to any of the items on this list.
- Other unethical conduct.

## **10. Safeguards against Harassment or Victimisation**

- 10.1 The Trust recognises that the decision to report a concern can be a difficult one to make. If what a whistleblower is saying is true, or they have a reason to believe that it is true, they will have nothing to fear because they will be doing their duty to the Trust and pupils of the Trust. It is understandable that whistleblowers are sometimes worried about possible repercussions. The Trust aims to encourage openness and will support staff who raise genuine concerns under this policy, even if they turn out to be mistaken.
- 10.2 The Trust will not tolerate any harassment or victimisation, including informal pressure, and will take appropriate action to protect employees when concerns are raised in good faith. In addition, workers are protected in law by the Public Interest Disclosure Act, which gives workers protection from detriment and dismissal where they have made a protected disclosure, provided the legal requirements of the Act are satisfied. If a whistleblower believes that they have suffered any such treatment, they should inform the Whistleblowing Officer immediately. If the matter is not remedied, they should raise it formally using the Trust's Grievance Procedure.
- 10.3 Any Trust employee who victimises or harasses a member of staff as a result of them having raised a concern in accordance with this policy will be dealt with under the Trust's Disciplinary Policy and Procedure.
- 10.4 Any investigation into allegations of potential malpractice will not influence, or be influenced by, any disciplinary or redundancy procedures that already affect an employee.
- 10.5 A confidential support and counselling hotline is available to whistleblowers who raise concerns under this policy. Their contact details are set out at the top of this policy on page 2. In addition to Protect (previously Public Concern at Work), employees can contact their Trade Union/Professional Association or ACAS for further guidance.

## **11. Confidentiality**

- 11.1 It is much easier to investigate and follow up concerns when those raising them are willing for their names to be disclosed if necessary as part of the investigation. However, if the whistleblower specifically asks for their names not to be disclosed

then this will be respected subject only to any requirement to disclose having the force of law. This may, in some situations impede the investigation. If the only evidence of wrongdoing or malpractice is that of the whistleblower as an eyewitness, then he/she will usually need to be prepared to make a statement as part of the evidence. It should be noted that if a whistleblower reports concerns to the media, in most cases they will lose their whistleblowing law rights.

## 12. Anonymous Allegations

- 12.1 Anonymous allegations are necessarily difficult to investigate and, for that reason, cannot always be given the same consideration as attributed allegations. In considering whether any action is to be taken the seriousness and credibility of the allegations will be considered as will the feasibility of investigating them and the reason(s) for anonymity being requested.
- 12.2 Concerns expressed anonymously are much less powerful, but they will be treated with caution and considered at the discretion of the Trust, together with the likelihood of the Trust obtaining the necessary information and confirmation of the allegation.

## 13. Raising a Whistleblowing Concern

- 13.1 If an employee or worker suspects wrongdoing in the workplace:
- **They must not** approach or accuse the individuals directly.
  - **They must not** try to investigate the matter themselves.
  - **They must not** convey their suspicions to anyone other than those with the proper authority, but **they must do** something.
  - They may seek advice from their trade union representative.
- 13.2 In most circumstances the employee or worker should raise concerns directly with their Headteacher, or CEO in respect of Headteachers and central team members. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of malpractice. For example, if the employee or worker believes that senior management are involved, that the matter is more serious, or where they feel their manager or Headteacher has not addressed their concern, then they should approach the CEO, or the Chair of the Trust (contacts at the top of this policy on page 2). In some cases, the employee or worker may refer the matter to the Whistleblowing Officer (again listed at the top of this policy (on page 2)).
- 13.3 Concerns may be raised verbally or in writing. A whistleblower raising the concern verbally will normally be expected to substantiate their concerns in writing unless there are circumstances deeming this inappropriate, or the Trust will take down a

written summary of the concern and provide the whistleblower with a copy after the meeting.

13.4 The whistleblower can be accompanied by a trade union rep or a work colleague (who is not involved in the area of work to which the concerns relate), at meetings subsequently held to formally discuss and investigate the disclosures made. The companion must respect the confidentiality of the disclosure and any subsequent investigation.

13.5 It is helpful for the following information to be provided:

- The background and history of the concern (giving relevant names and dates).
- The reason why the employee or worker is particularly concerned about the situation.

13.6 The earlier the worker expresses the concerns, the easier it will be to act.

#### **14. How the Trust will Respond**

14.1 The action taken by the Trust will depend on the nature of the concern.

14.2 In order to protect individuals and the Trust, once a concern is raised, the Trust will carry out an initial assessment to determine the scope of any investigation. The Trust will inform the whistleblower of the outcome of the assessment. The whistleblower may be required to attend additional meetings in order to provide further information.

14.3 Some concerns may be resolved by agreed action without the need for investigation.

14.4 In some cases, the Trust may appoint an investigator or team of investigators including staff with relevant experience of investigations or specialist knowledge of the subject matter. The investigator(s) may make recommendations for change to enable the Trust to minimise the risk of future wrongdoing.

14.5 The Trust will aim to keep the whistleblower informed of the progress of the investigation and its likely timescale. However, sometimes the need for confidentiality may prevent the Trust giving the whistleblower specific details of the investigation or any disciplinary action taken as a result. The whistleblower should treat any information about the investigation as confidential.

#### **15. If the Whistleblower is not Satisfied**

15.1 Whilst the Trust cannot always guarantee the outcome the whistleblower is seeking; the Trust will try to deal with the concern fairly and in an appropriate way.

- 15.2 If the whistleblower is not happy with the way in which the concern has been handled, they can raise it with one of the other key contacts at the top of this policy. Alternatively, they may contact the Chair of the Trust, whose contact details are also available at the top of the policy (Page 2).

## **16. External Disclosures**

- 16.1 The aim of this policy is to provide an internal mechanism for reporting, investigating and remedying any wrongdoing within the Trust. In most cases the whistleblower should not find it necessary to alert anyone externally.
- 16.2 The law recognises that in some circumstances it may be appropriate for the Whistle-blower to report their concerns to an external body such as a regulator. It will very rarely, if ever, be appropriate to alert the media. The Trust strongly encourages the whistleblower to seek advice before reporting a concern to anyone external and they may wish to discuss matters with ACAS, their professional body or trade union. The independent whistleblowing charity, Protect (formerly Public Concern at Work), operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details can be found in Appendix 2 below.
- 16.3 Whistleblowing concerns usually relate to the conduct of Trust staff, but they may sometimes relate to the actions of a third party, such as parents, Trustees, Local Academy Committee Members, volunteers, suppliers or service providers. In some circumstances the law will protect the whistleblower if they raise the matter with the third party directly. However, the Trust encourage the whistleblower to report such concerns internally first. They should contact their manager or Headteacher or one of the other key contact individuals set out at the top of this policy (page 2) for guidance.

## **17. Unproven Allegations**

- 17.1 If a whistleblower makes an allegation in good faith and this is not confirmed in the investigation no action will be taken against him/her. The Trust will also try to minimise any negative effects of an allegation being investigated and not confirmed.

## **18. Deliberately False Allegations**

- 18.1 If the Trust concludes after investigation that a whistleblower has made false allegations maliciously, the whistleblower may be subject to disciplinary action and may potentially be dismissed by reason of gross misconduct.

## **19. Other Procedures**

- 19.1 As outlined in Section 7, if a matter is raised under the whistleblowing procedure

which could more appropriately be dealt with under another Trust procedure, the CEO will firstly consult the appropriate senior officer in the central team for advice. They will then activate the alternative, more appropriate procedure and, advise the whistleblower accordingly.

## **20. Records of Complaints**

- 20.1 The CEO of the Trust will be responsible for maintaining records of concern raised and of outcomes. Records will be kept in a form, which does not compromise confidentiality.

## **21. Responsibility for this Policy**

- 21.1 The responsibility for the effectiveness and efficiency of this policy rests with the Trust Board. The Trust will be advised about and maintain records of concerns raised and the outcome (but in a form which does not endanger the whistleblowers confidentiality).
- 21.2 The Trust will ensure all Trust employees are aware of this whistleblowing policy and procedure, with a copy placed on the Every system and also on the Trust website, together with how whistleblowing concerns will be managed. Headteachers and the Chief Executive Officer are responsible for ensuring their employees have read and understood this policy.

## **22. Review of this Policy**

- 22.1 The Board of Trustees will review this policy every 3 years.
- 22.2 It may however review this policy earlier than this if the government produces new regulations, or if the Trust receives recommendations on how this policy might be improved.

## 23. Appendices

### 23.1 Appendix 1: Report Form to Be Used for Public Interest Disclosures

Name of School/Central Team	
Name:  (person making the report - not compulsory but you are encouraged to insert your name to allow a full investigation to take place)	
Person(s) reported (if applicable)	
Concerns reported: (give full details of the background to the concern including names, dates and places; reasons why you are concerned – attach separate sheet if necessary)	
Date:	
Signed:	

## 23.2 Appendix 2: National Organisations

If staff feel unable to contact the Trust, or the concern is about the Trust, please consider contacting the following national organisations:

- **Protect** (Independent whistleblowing charity)  
Helpline: 020 3117 2520  
E-mail: [whistle@protect-advice.org.uk](mailto:whistle@protect-advice.org.uk)  
<https://protect-advice.org.uk/>
- **The Charity Commission for England and Wales**  
Tel: 0300 066 9197  
Website: [www.gov.uk/charity-commission](http://www.gov.uk/charity-commission)  
Email: [whistleblowing@charitycommission.gov.uk](mailto:whistleblowing@charitycommission.gov.uk)
- **The Education and Skills Funding Agency (ESFA) Department for Education**  
Tel: 0370 000 2288  
Online Form:  
[https://form.education.gov.uk/service/Contact\\_the\\_Department\\_for\\_Education](https://form.education.gov.uk/service/Contact_the_Department_for_Education)
- **Secretary of State for Education**  
Ministerial and Public Communications Division  
Department for Education  
Piccadilly Gate  
Store Street  
Manchester  
M1 2WD  
Tel: 0370 000 2288  
Website: [www.gov.uk/contact-dfe](http://www.gov.uk/contact-dfe)
- **Ofsted**  
Tel: 0300 123 3155  
Email: [whistleblowing@ofsted.gov.uk](mailto:whistleblowing@ofsted.gov.uk)
- **NSPCC**  
Whistleblowing Advice Line 0808 028 0285  
Email: [help@nspcc.org.uk](mailto:help@nspcc.org.uk)