

Whistleblowing Policy

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1 AIMS

1.1 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 staff 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 staff know the protection available to them if they raise a whistle-blowing concern
- Assure staff 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)

1.2 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

2.2 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 WHISTLEBLOWING

3.1 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 staff 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

A whistle-blower is a person who raises a genuine concern relating to the above.

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

3.3 Protect (formerly Public Concern at Work) has:

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

4 PROCEDURE FOR STAFF TO RAISE A WHISTLEBLOWING CONCERN

You do not need to have firm evidence of malpractice before raising a concern. However, we do ask that you explain as fully as you can the information or circumstances that gave rise to your concern.

4.1 Step one – Your line manager or Headteacher

If you have a concern about malpractice, please first raise it with your line manager, or Headteacher. This may be done verbally or in writing.

4.2 Step two – The LINK Education Trust Chief Executive Officer

If you feel unable to raise the matter with your manager, for whatever reason, please raise the matter with the LINK Education Trust CEO:

Chris Moore: chris.moore@thelinkeducationtrust.co.uk

4.3 Step three – The Trust named Trustee

If these channels have been followed and you still have concerns, or if you feel that the matter is so serious that you cannot discuss it with any of the above, please contact the Trust's named Trustee: Paul Daly

pauldaly58@hotmail.com

5 HOW WE WILL HANDLE YOUR CONCERN

- 5.1 We will acknowledge receipt of your concern within 10 days. We will assess it and consider what action may be appropriate. This may involve an informal review, an internal inquiry or a more formal investigation.
- 5.2 Concerns or allegations that legally fall within the scope of other organisations (for example, the police, Ofsted, and the Care Quality Commission) will be referred onward.
- 5.3 We will tell you who will be handling the matter, how you can contact them, and what further assistance we may need from you. If you ask, we will write to you summarising your concern and setting out how we propose to handle it and provide a timetable for feedback. If we have misunderstood the concern or there is any information missing please let us know.
- 5.4 When you raise the concern it will be helpful to know how you think the matter might best be resolved. If you have any personal interest in the matter, we do ask that you tell us at the outset. If we think your concern falls more properly within the grievance or other relevant procedure, we will let you know.
- 5.5 Whenever possible, we will give you feedback on the outcome of any investigation. Please note, however, that we may not be able to tell you about the precise actions we take where this would infringe a duty of confidence we owe to another person.
- 5.6 While we cannot guarantee that we will respond to all matters in the way that you might wish, we will strive to handle the matter fairly and properly. By using this policy you will help us to achieve this.
- 5.7 If an employee is required to give evidence in criminal or disciplinary proceedings, we will advise them about the procedure and offer the appropriate level of support.
- 5.8 If at any stage you experience reprisal, harassment or victimisation for raising a genuine concern please contact the Headteacher, CEO or Chair of Trustees.

6 MALICIOUS OR VEXATIOUS ALLEGATION

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.

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 INDEPENDENT ADVICE

If you are unsure whether to use this policy or you want confidential advice at any stage, you may contact the independent charity Protect (formerly known as Public Concern at Work) on 020 3117 2520 (* option 1) or by email at whistle@protect-advice.org.uk. They can talk you through your options and help you raise a concern about malpractice at work. You can also contact your union for advice.

8 EXTERNAL CONTACTS

8.1 While we hope this policy gives you the reassurance you need to raise your concern internally with us, we recognise that there may be circumstances where you can properly report a concern to an outside body. If so, we would rather you raised a matter with the appropriate prescribed people and bodies than not at all.

8.2 The Government have provided a list of [prescribed people and bodies](#) that can be contacted. These are mainly regulatory bodies, for example Ofsted, Care Quality Commission, Health and Safety Executive.

8.3 If you do take the matter outside the Trust you need to ensure that you do not disclose confidential information except to those included in the list of prescribed people and bodies.

8.4 If you report a concern to the media or otherwise fail to go through appropriate channels, in most cases you will lose your right to protection under the Public Interest Disclosure Act and could potentially face disciplinary action.

8.5 The law is complex in this area. If there is any doubt about which route to take, it is recommended that the prescribed person, Protect, or your union be contacted first for initial advice (only disclosing such details as are required to enable them to provide that advice, and on the basis that such disclosures are treated as confidential).

9 MONITORING AND OVERSIGHT

The Trust's Board of Trustees has overall responsibility for the maintenance and operation of this policy and maintains records of concerns raised and the outcomes.